

Kansas Register

Ron Thornburgh, Secretary of State

Vol. 19, No. 47

November 23, 2000 Pages 1863-1886

Kansas, Inc. Notice of committee mee	tino								Р
Kansas Commission on Em	ergency Planning	and Respons	e i					4, 4 5 4	
Notice of meeting Department of Administrat Notice of commencement Notices of commencement	ion—Division of t of negotiations	Architectural or architectur	Services						
Pooled Money Investment	it of negotiations Board	for technical s	services	••••••••	• • • • • • • • • • • • • • • • • • • •	••••	·········		• • • •
Notice of investment rate Board of Emergency Medica	ıl Services						1,177		- 7
Notice of meeting Legislative interim committ	ee schedule	· · · · · · · · · · · · · · · · · · ·	**************************************		•		••••••		
Notice of meeting	Administrators	• • • • • • • • • • • • • • • • • • • •							
Attorney General Opinions 2000-54 through	2000-58				,				
Nansas Supreme Court Docket for December	••••			en jakobara. Tengaharan	•				×
Notice of review of admir	nistrative regulati	one			San Marie				
Statewide Independent Livi Notice of meeting Department of Administrati Notice to bidders for state Wildlife and Parks Commiss	ng Council	**************		***					••••
Department of Administrati Notice to bidders for state	on—Division of purchases	Purchases							•••
Wildlife and Parks Commiss Notice of hearing on prop	sion osed administrat	ive regulation	3				· · · · · · · · · · · · · · · · · · ·		
Notice of motor carrier be	on erines						1. 4		
Notice of motor carrier ap Cansas Department of Healt Notice concerning Kansas Requests for comments or	h and Environme water pollution o	ent control permit	s		•	**************************************		•••••• <u>•</u>	1 1
Requests for comments or ansas Department of Trans Notice to consulting engine ermanent Administrative R	proposed air que	ality permits	**********		·	••••••		*********	1
ermanent Administrative R Department of Wildlife an	egulations d Parks	• • • • • • • • • • • • • • • • • • • •	**********			······································			1
ocial and Rehabilitation Se Request for proposals for	rvices	vment process		7 7	**********		······································	•••••	1
Reno County					* * .	A	<u> </u>		.;
Crawford County Jotice of Note Sale City of Olathe	* * * * * * * * * * * * * * * * * * *	* .	. N						٠.
City of Concordiaepartment of Revenue				•••••••				<u> </u>	1

Kansas, Inc.

Notice of Committee Meeting

The Kansas Inc. Technical Advisory Committee for Strategic Planning will meet from 10 a.m. to 2 p.m. Thursday, November 30, at the offices of the Kansas Technology Enterprise Corporation, 214 S.W. 6th, second floor conference room, Topeka. The meeting is open to the public. For further information, call (785) 296-1460.

Charles R. Ranson President

Doc. No. 025899

State of Kansas

Commission on Emergency Planning and Response.

Notice of Meeting

The Commission on Emergency Planning and Response will meet at 10 a.m. Thursday, November 30, at the Sedgwick County Emergency Management, 535 Main, B-10, Wichita. An agenda may be obtained by contacting Sivi Murray, State Defense Building, Room 15, 2800 S.W. Topeka Blvd., Topeka, 66611-1287, (785) 274-1409.

Any individual with a disability may request accommodation in order to participate in the meeting. Requests for accommodation should be made at least five working days in advance of the meeting by contacting Sivi Murray. or the Kansas Relay Center, 1-800-766-3777.

> Sivi Murray Office Manager

State of Kansas

Department of Administration Division of Architectural Services

Notice of Commencement of Negotiations for Architectural Services

Notice is hereby given of the commencement of negotiations for "on-call" architectural services for Fort Hays State University. Services will include work on small projects for a one-year period, renewable for two additional years. One or two firms may be selected.

For information regarding the scope of services, contact Dana Cunningham, Director of Facilities Planning, Fort

Hays State University, (785) 628-4424.

If interested, an original and six copies (seven total) of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 1020 S. Kansas Ave., Topeka, 66612-1311, (785) 296-8899. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 3 p.m. Decem-

Thaine Hoffman, AIA Director, Division of Architectural Services

Doc. No. 025892

Doc. No. 025894

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Register Office: Garden Level, Memorial Hall (785) 296-3489 Fax (785) 368-8024

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 1999 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

ı.	Effective	11-20-00	through	11-26-00

Term	-	Rate
1-89 days		6.52%
3 months		6.20%
6 months		6.26%
1 year		6.17%
18 months		6.00%
2 years		5.87%

Derl S. Treff Director of Investments

Doc. No. 025886

State of Kansas

Department of Administration Division of Architectural Services

Notice of Commencement of Negotiations for Technical Services

Notice is hereby given of the commencement of negotiations for air and water balancing services and commissioning of mechanical and electrical systems for state construction projects for the six-month period from January 1, 2001 to June 30, 2001. Negotiations also are commencing for infrared testing services and mechanical and electrical troubleshooting.

Interested individuals or firms in the balancing field must be certified by the National Environmental Balancing Bureau or the Associated Air Balance Council. Said individuals or firms must be engaged in balancing work on a full-time basis. Balance agencies that are of the same parent company as the designers or contractors of a particular project will not be considered for that project.

Firms interested in providing these services should submit an SF 254 form indicating their qualifications, fees for their services and geographical areas of the state in which they are willing to work to Gary Grimes, Division of Architectural Services, 1020 S. Kansas Ave., Topeka, 66612-1311, (785) 296-8899, ext. 204. An original of the SF 254 form (plus attachments as required) should be submitted with letters of interest.

It is the intention of the division to pre-approve a separate group of qualifying firms and award projects on a rotational basis. If a firm anticipates being limited to specific-sized projects, by dollar volume or location in the state, that information also should be supplied with the response.

Any questions or expressions of interest should be directed to Gary Grimes before 5 p.m. December 8.

> Thaine Hoffman, AIA Director, Division of Architectural Services

State of Kansas

Board of Emergency Medical Services

Notice of Meeting

The Board of Emergency Medical Services will meet at 9 a.m. Friday, December 1, at the Pozez Education Center, Stormont-Vail Medical Center, 1500 S.W. 10th, Topeka. Committee meetings will begin at noon Thursday, November 30.

Agenda items include office update, committee reports, EMSC grant update, Public Safety Agency Consolidation update, FY 2002 final budget request, Trauma Registry Committee update, Rural Health Options Project update, Statewide EMS Communication Task Force report and an update on the Enhanced 911 Task Force.

All meetings of the board are open to the public. For more information, contact the administrator at 109 S.W.

6th, Topeka, 66603, (785) 296-6237.

David Lake Administrator

Doc. No. 025909

State of Kansas

Department of Administration Division of Architectural Services

Notice of Commencement of **Negotiations for Technical Services**

Notice is hereby given of the commencement of negotiations for surveying and soil testing services for state construction projects for the six-month period from January 1, 2001 to June 30, 2001. Soil testing services would include testing and reporting prior to construction and inspection services during construction. Firms that provide concrete, welding, asphalt, steel, lead paint and hazardous material testing also are being sought.

Firms interested in providing these services should submit an SF 254 form indicating their qualifications, fees for their services and geographical areas of the state in which they are willing to work to Gary Grimes, Deputy Director of Planning and Project Management, Division of Architectural Services, 1020 S. Kansas Ave., Topeka, 66612-1311, (785) 296-8899, ext. 204. An original of the SF 254 form (plus attachments as required) should be submitted with letters of interest.

It is the intention of the division to pre-approve a separate group of qualifying firms and award projects on a rotational basis. If a firm anticipates being limited to specific-sized projects, by dollar volume or location in the state, that information also should be supplied with the response.

Any questions or expressions of interest should be directed to Gary Grimes before 5 p.m. December 8.

> Thaine Hoffman, AIA Director, Division of Architectural Services

Doc. No. 025893

Director of Legislative Administrative Services

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of November 27 through December 10. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. When available, agendas can be found at http://skyways.lib.ks.us/ksleg/KLRD/klrd.html.

Date	Room	Time	Committee	Agenda
November 27 November 28	522-S 522-S	10:00 a.m. 9:00 a.m.	Legislative Educational Planning Committee	27th: Community college and Washburn funding; Fort Hays and Pratt Community College merger; and other matters. 28th: Instructions to staff for bill drafts and other matters.
November 27 November 28	531-N 531-N	10:00 a.m. 9:00 a.m.	Special Committee on Claims Against the State	Hearings on claims filed to date.
November 28	423-S	10:00 a.m.	Special Committee on Redistricting Advisory Group	Agenda not ävailable.
November 28	514-\$	10:00 a.m.	Health Care Reform Legislative Oversight Committee	Review of guardianship provisions; ethnic and cultural barriers in health care; water quality and public health; review of bill drafts.
November 28	526-S	10:00 a.m.	Special Committee on Arts and Cultural Resources	Agency budget presentations.
November 29 November 30	519-S 519-S	10:00 a.m. 9:00 a.m.	Task Force on Consolidation of Public Safety Agencies	Agenda not available.
November 29 November 30 December 1 (if needed)	526-S 526-S 526-S	10:00 a.m. 9:00 a.m. 9:00 a.m.	Special Committee on Utilities	29th: Testimony concerning FERC issue; discussion of committee reports and recommendations; discussion of potential state energy plan. 30th: Continued committee discussion,
December 1	519-S	9:00 a.m.	Legislative Post Audit	Presenting two performance audits; reviewing the management of state-held lands in Kansas and Healthwave: reviewing the program's services and finance.
December 5 December 6	514-S 514-S	10:00 a.m. 9:00 a.m.	Joint Committee on Administrative Rules and Regulations	Committee review of regulations proposed by: KDHE, Insurance Dept., Real Estate Appraisal Board, Bank Commissioner and Dept. of Wildlife and Parks.
December 5	526-S	10:00 a.m.	Joint Committee on Children's Issues	Final meeting: briefing on Children's Cabinet grants; formulate committee conclusions and recommendations; review draft committee report.
December 5	531-N	9:00 a.m.	Joint Committee on Information Technology	Agenda not available.
December 6 December 7	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Federal and State Affairs	Agenda not available.
December 7 December 8	Car	nceled nceled	Joint Committee on Information Technology	
December 8	519 - S	10:30 a.m.	Streamlined Sales Tax System for the 21st Century Legislative Oversight Committee	Agenda not available. Jeff Russel

Board of Adult Care Home Administrators

Notice of Meeting

The Board of Adult Care Home Administrators will meet at 9:30 a.m. Friday, December 8, in Classroom B of the Wheatland Habilitation Center, Kansas Neurological Institute, 21st and Oakley, Topeka.

Lesa Roberts, Director Health Occupations Credentialing

Doc. No. 025885

State of Kansas

Attorney General

Opinion 2000-54

State Departments; Public Officers and Employees—Kansas Performance Review Board; Powers and Duties; Authority to Charge State Agencies for Cost of Review. Robert L. Stockwell, Executive Director, Kansas Performance Review Board, Topeka, November 2, 2000.

The Kansas Performance Review Board has been authorized since May 20, 1998, to charge state agencies amounts necessary to recover all or part of the costs of analyses of governmental functions conducted at the request of such state agencies in accordance with K.S.A. 75-7104. Subsequent to April 26, 1999, the board has been authorized to charge state agencies amounts necessary to recover all or part of the costs of analyses of governmental functions conducted at the discretion of the executive director in accordance with K.S.A. 75-7104, in addition to charging for those conducted at the request of the agency. There apparently is no authority to require payment for analyses conducted prior to these dates or outside the limitations established by the provisos, and likewise there appears to be no authority for agencies to pay for the costs of an analysis from any funds other than "one or more appropriate special revenue funds." An agency's ability to pay such costs may thus depend on availability of funds and other budget law constraints. Cited herein: K.S.A. 46-923; 75-3730; 75-3731; 75-3732; 75-7101; 75-7102; 75-7103; 75-7104; 75-7107. JLM

Opinion 2000-55

Constitution of the State of Kansas—Corporations—Cities' Powers of Home Rule; Ordinance Prohibiting Ticket Scalping.

Counties and County Officers—General Provisions—Home Rule Powers; Resolution Prohibiting Ticket Scalping. Senator John Vratil, 11th District, Leawood, November 2, 2000.

A city or county can enact local legislation to prohibit "ticket scalping" if the governing body concludes that such activity is detrimental to the peace, health, safety and welfare of its citizens. Moreover, a city or county may enforce such legislation on private property, state-owned property, and on federal highways. Cited herein: K.S.A. 12-4104; K.S.A. 1999 Supp. 19-101a, as amended by L. 2000, Ch. 159, § 2; 19-101d; 22-2401a; Kan. Const., Art. 12, § 5. MF

Opinion 2000-56

State Departments; Public Officers and Employees—State Historical Society; Historic Preservation Powers and Duties. Representative Ralph M. Tanner, 10th District, Baldwin City, November 2, 2000.

In a state, such as Kansas, with an approved Historic Preservation Program, only the State Historic Preservation Officer (SHPO) may formally submit a nomination for listing of a property on the National Register of Historic Places to the National Park Service. Only the State Historic Sites Review Board, in conjunction with the SHPO, can list a property on the State Register of Historic Places. Any person may submit a nomination form for any property to the SHPO. While private property may not be placed on the National Register without the owner's consent, no statutory provisions limit the placement of public property on either the National or State Registers. Cited herein: K.S.A. 75-2717; 75-2720; 75-2721; K.S.A. 1999 Supp. 75-2724; 16 U.S.C. § 470a; 36 C.F.R. §§ 60.1; 60.2; 60.3; 60.5; 60.11; 60.12. SP

Opinion 2000-57

Schools—Transportation of Students—Transportation of Nonpublic School Pupils; Contracts for Transportation of Certain Students; Reimbursement for Mileage. William W. Jeter, Counsel, Unified School District No. 489, Hays, November 2, 2000.

A unified school district that provides school bus transportation for its pupils is required to provide school bus transportation for pupils attending private or parochial schools who reside along a regular school route or gather at a place along a regular school route. Further, the school district may provide or furnish transportation for pupils attending private or parochial schools to such extent and upon such conditions as the school district deems appropriate. There is no mandatory obligation placed upon a school district to provide or furnish transportation for pupils attending private or parochial schools who do not reside along a regular school route or gather at a place along a regular school route. Cited herein: K.S.A. 72-8301; K.S.A. 1999 Supp. 72-8302, as amended by L. 2000, Ch. 155, § 4, 72-8303, as amended by L. 2000, Ch. 155, §2; K.S.A. 72-8306. RDS

Opinion 2000-58

State Departments; Public Officers and Employees—Kansas Tort Claims Act—Definitions; Behavioral Sciences Regulatory Board's Advisory Committees; Whether Members Are Board Employees. Phyllis Gilmore, Executive Director, Behavioral Sciences Regulatory Board, Topeka, November 13, 2000.

Members of the various Behavioral Sciences Regulatory Board's advisory committees are considered employees of the board for purposes of the Kansas Tort Claims Act. Cited herein: K.S.A. 75-6101; 75-6102; 75-6103; 75-6108. CN

Carla J. Stovall Attorney General

Office of Judicial Administration Supreme Court Docket

(Note: Dates and times of arguments are subject to change.)

Monday, December 4, 2000

		December 4, 2000	
		0:00 a.m. Attomeys	Jurisdiction
Case No. 81,171	State of Kansas, Appellee, v. David D. Lewis, Appellant.	Carla J. Stovall, Attorney General Debra J. Peterson, Assistant District Attorney Petition for Review Jessica R. Kunen, Chief Appellate	Sedgwick
84,458	State of Kansas, Appellee, v. Linda K. Evans, Appellant.	Defender Carla J. Stovall, Attorney General Debra J. Peterson, Assistant District Attorney Rick Kittel, Assistant Appellate	Sedgwick
82,647	State of Kansas, Appellee, v.	Defender Carla J. Stovall, Attorney General Joe E. Lee, County Attorney Ralph J. Dezago	Lyon
83,452	Sanexay Sophophone, Appellant. State of Kansas, Appellant, v. Maurice T. Murphy, Appellee.	Carla J. Stovall, Attorney General Christine K. Tonkovich, District Attorney John J. Ambrosio	Douglas
	아프로 등 내용 잃어난 사람이 다른	1:30 p.m.	
84,355	E. Dean Carlson, Secretary, Kansas Dept. of Transportation, Appellee,	W. Thomas Gilman Steve R. Fabert Dustin L. DeVaughn	Cloud
	Dale Ferguson, et al., Appellants, James D. Nick, et al., Appellees.		Calling
82,243	State of Kansas, Appellee, v. Shawn M. Jones, Appellant.	Carla J. Stovall, Attorney General Julia A. McKenna, County Attorney Petition for Review Michael S. Holland II	Saline
83,176 83,177 83,178	State of Kansas, Appellant, v. Robert E. Cuchy, Appellee.	Carla J. Stovall, Attorney General Jeff Elder, County Attorney Mary Curtis, Assistant Appellate Defender	Pottawatomie
	Tuesday	, December 5, 2000	
		9:00 a.m.	
Case No.	Case Name	Attorneys	Jurisdiction Wyandotte
84,611	State of Kansas, Appellee, v. John E. Sandifer, Appellant.	Carla J. Stovall, Attorney General Nick A. Tomasic, District Attorney Rick Kittel, Assistant Appellate	y and one
83,361	State of Kansas, Appellee, v. James Crume, Jr., Appellant.	Defender Carla J. Stovall, Attorney General Nick A. Tomasic, District Attorney John Jenab	Wyandotte
84,967	Sarah M. Friesen-Hall, Appellant, v.	Joel W. Riggs Susan E. McKeon	Reno
83,787	Britt Colle, Appellee. State of Kansas, Appellee, v. Ahmad K. Bey, Appellant.	Carla J. Stovall, Attorney General Julie Richey, County Attorney Patrick H. Dunn, Assistant Appellate Defender	Crawford

		1:30 p.m.	
85,760	In the Matter of Cedric L. Lockett, Respondent.	Frank D. Diehl, Deputy Disciplinary Administrator Cedric L. Lockett, Pro Se	Original
85,672	In the Matter of Rebecca D. Brock, Respondent.	Stanton A. Hazlett, Disciplinary Administrator Rebecca D. Brock, Pro Se	Original
84,994	In the Matter of Dorothy Gershater Respondent.		Original
	Wed	Inesday, December 6, 2000	
0 N		9:00 a.m.	
Case No. 83,204	Case Name State of Konggo Appellag	Attorneys	Jurisdiction
00,204	State of Kansas, Appellee, v. Quentin T. Engles, Appellant.	Carla J. Stovall, Attorney General Paul J. Morrison, District Attorney Patrick H. Dunn, Assistant Appellate Defender	Johnson
82,706	State of Kansas, Appellant, v. Cecil L. Dahl, Appellee.	Curt D. Hoover Cecil L. Dahl, Pro Se	Johnson
83,430		Carlo I Stavell Attended Co.	
	v. James W. Gray, Appellee.	Carla J. Stovall, Attorney General Rick Scheufler, County Attorney Michael S. Holland	Barton
83,645	State of Kansas, Appellee, v. Quinton Lamar Hayes, Appellant.	Carla J. Stovall, Attorney General Robert Claus, County Attorney Reid T. Nelson, Assistant Appellate Defender	Montgomery
		1:30 p.m.	
80,920	State of Kansas, Appellee, v. Gary W. Kleypas, Appellant.	Carla J. Stovall, Attorney General John K. Bork, Assistant Attorney General Jessica R. Kunen, Chief Appellate Defender	Crawford ,
	Thu	irsday, December 7, 2000	
	Summary (Pursuant	Calendar—No Oral Argument to Supreme Court Rule 7.01(c))	
	State v. Derick A. Pharis 83,321 State v. Michael Pollard	State v. George R. Spry 84,209 State v. 6	Charles Jorgenson
	Summary Disposition (Pursuant t	of Sentencing Appeals—No Oral Argument o Supreme Court Rule 7.041(a))	
84,647 84,694 84,762	State v. Brian Wilkinson State v. Alejandro Suchil State v. David M. Gribble State v. Ysidro Cilva State v. Donald L. Castilow 84,893 84,898	State v. Jackie L. Phillips State v. Richard Alan Brecheisen State v. Dominique Horton 84,904 State v. G Walters 84,914 State v. I 84,990 State v. J 85,083 State v. J	Christopher Lucas Ramonne E. Kirksey erry G. Leis cicky Burns Carol G. Green ne Appellate Courts

Kansas Parole Board

Notice of Review of Administrative Regulations

As directed by Executive Order 00-03, the Kansas Parole Board has conducted a comprehensive review of all rules and regulations of the board for the purpose of identifying and eliminating or modifying, as appropriate, any rules and regulations that are outdated, redundant, overly broad, ineffective, unnecessary, cumbersome, irrelevant or otherwise undesirable or inconsistent with the criteria set forth in Executive Order 00-03.

In order to conclude this review, the Kansas Parole Board is giving notice of a 30-day public comment period for the purpose of receiving written public comments on the rules and regulations of the board. The board is seeking written comments evaluating individual regulations in light of the criteria for regulatory review established by the Executive Order 00-03. Those criteria include the following:

1. Need. Is the regulation necessary to comply with the statutes that authorize it? Is the regulation obsolete, duplicative or ambiguous to a degree that warrants repeal or revision? Is the regulation broader than necessary to accomplish its purpose or objective?

2. Clarity. Is the regulation written and organized in a clear and concise mariner so it can be readily understood

by those to whom it applies?

3. Cost. Have the benefits of the regulation been considered in relation to its cost? Do the benefits of the regulation exceed the costs of the regulation?

4. Fairness. Does the regulation result in equitable treatment of those required to comply with it and those affected by the regulation in other ways?

5. Effectiveness. Has the regulation been effective in achieving the purpose for which it was established?

The majority of the Kansas Parole Board's regulations can be found in Volume 3 of the Kansas Administrative Regulations and the 1999 Supplement to the Kansas Administrative Regulations, both published by the Secretary of State. Four regulations that have been adopted recently are printed in the Kansas Register, which is published weekly. An index at the back of each issue identifies the regulations published in the Kansas Register, as well as the volume and page number where each regulation can be found. Public libraries should maintain a set of the Kansas Administrative Regulations and the Kansas Register.

Written comments should specifically identify, by K.A.R. number, each regulation that is the subject of the comments. Any interested party may submit written comments regarding the rules and regulations of the Kansas Parole Board on or before December 26 to Ben Burgess, Kansas Parole Board, Room 452-S, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612.

Marilyn Scafe Chair

Doc. No. 025895

State of Kansas

Statewide Independent Living Council

Notice of Meeting

The Statewide Independent Living Council of Kansas, Inc. will meet at 10 a.m. Friday, December 8, in the meeting room of Kansas Rehabilitation Services, 3640 S.W. Topeka Blvd., Topeka. For further information, contact Mary Lou Dunn or Shannon Jones at (785) 234-6990 or 1-800-217-4525.

Shannon Jones Executive Director

Doc. No. 025904

State of Kansas

Department of Administration Division of Purchases

Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Room 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information:

Monday, December 4, 2000

02521

Department of Wildlife and Parks — Furnish and Install Vault Toilets

Thursday, December 7, 2000

A-9097.

Department of Wildlife and Parks — Office Building, Prairie Dog State Park, Norton

A-0161

Lansing Correctional Facility — Water Treatment Plant Improvements, Phase I

Tuesday, December 12, 2000

A-9012

University of Kansas Medical Center — Fire Alarm System, Orr-Major Building

A-9055(A)

Parsons State Hospital and Training Center — Reroof Storeroom

Thursday, December 14, 2000

02514

Kansas Highway Patrol — Truck Scale System, Alma

Tuesday, December 19, 2000

A-9054

Parsons State Hospital and Training Center — Utility Tunnel Replacement

John T. Houlihan Director of Purchases

Wildlife and Parks Commission

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission at 7 p.m. Thursday, January 25, at the Kansas History Center, 6425 S.W. 6th Ave., Topeka, to consider the approval and adoption of a proposed regulation of the Kansas Department of Wildlife and Parks.

A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m. January 25 at the location listed above. The meeting will recess at 5 p.m., then resume at 7 p.m. at the same location for the regulatory hearing. There will be public comment periods at the beginning of the afternoon and evening meetings for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items. Old and new business also may be discussed at this time. If necessary to complete the hearing or other business matters, the commission will reconvene at 9 a.m. January 26 at the same location.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Sheila Kemmis, commission secretary, at (316) 672-5911. Persons with a hearing impairment may call the TDD service at 1-800-766-3777 to request special accommodations.

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed administrative regulation.

All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife and Parks, Suite 502, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulation. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulation.

The administrative regulation that will be heard during the regulatory hearing portion of the meeting is as follows:

K.A.R. 115-4-1. This regulation establishes methods of take, tagging, reporting and any associated rules concerning hunting of turkeys. The single change in this regulation would allow an individual who had obtained an unlimited turkey permit in the prior year to apply in the current year on an equal basis for all applicants in the limited unit.

Economic Impact Summary: The proposed amendment would not affect the number of turkey permits available, and therefore is not anticipated to have an economic impact on the department, other state agencies or members of the public.

Copies of the complete text of the regulation and the respective economic impact statement may be obtained by contacting the chairman of the commission at the address above or by calling (785) 296-2281.

John R. Dykes Chairman

Doc. No. 025888

State of Kansas

State Corporation Commission

Notice of Motor Carrier Hearings

The following motor carriers have filed various applications and are scheduled for hearing at 9:30 a.m. December 12 before the commission at its offices, 1500 S.W. Arrowhead Road, Topeka, as indicated below. Allapplications listed herein are for statewide authority, unless otherwise stated. This list does not include cases that have been continued from earlier assigned hearing dates for which parties of record have received notice.

Requests to inspect and copy the notices provided to the parties and questions in regard to these hearings should be addressed to the State Corporation Commission, Transportation Division, 1500 S.W. Arrowhead Road, Topeka, 66604-4027, (785) 271-3225 or 271-3151. The presiding officer for these matters is Paula Lentz, Assistant General Counsel, (785) 271-3279. Anyone needing special accommodations should give notice to the commission 10 days prior to the scheduled hearing date.

Attention should be directed to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Before the Commission."

Application for Certificate of Convenience and Necessity:

Elite Limousine, L.L.C., 1537 S.W. Village Drive, Topeka, KS 66604; MC ID No. 159567; Clyde Christey, Attorney; Passengers and their baggage.

Applications for Abandonment of Certificate of Public Service:

Charlie Baucom, Inc., 13800 Mooresville Road, Athens, AL 35611; MC ID No. 118099.

Bittersweet Enterprises, Inc., 7550 Falcon Road, Riley, KS 66531; MC ID No. 127353.

C. Richard Clement, dba Eastside Recovery Service, 500 E. 15th, Horton, KS 66439; MC ID No. 153785.

Ronald Cook, dba Cook & Son Trucking, 2207 Henry Drive, Hays, KS 67601-2347; MC ID No. 127338.

GTL Truck Lines, Inc., 4228 S. 72nd, Omaha, NE 68127; MC ID No. 108391.

Randy Kelley, dba Randy Kelley Trucking, 1718 CR 110, Hartford, KS 66854; MC ID No. 153448.

Leon Martinez, dba Martinez Body Shop, Railroad Ave., Lakin, KS 67860; MC ID No. 127924.

Dale R. Ussery, dba D. Ussery Truckline, 3831 Southpark, A-22, Topeka, KS 66609-1468; MC ID No. 152364.

Carolyn S. Weber, dba Weber's Seeding, 4015 E. 56th, Hutchinson, KS 67502; MC ID No. 153811.

Jacquelyn S. Miller
Administrator
Transportation Division

State Corporation Commission

Notice of Motor Carrier Applications

The following motor carriers have filed various applications. All applications listed herein are for statewide authority, unless otherwise stated.'

Requests to inspect and copy the notices provided to the parties and questions in regard to these applications should be addressed to the State Corporation Commission, Transportation Division, 1500 S.W. Arrowhead Road, Topeka, 66604-4027, (785) 271-3225 or 271-3151. For general inquiries, contact Vickie Berg at (785) 271-3225. To lodge an official complaint, submit your protest in writing, supported by relevant facts, to Jackie Miller, Director of Transportation, at the address above within 20 days of the date of publication of this notice.

Applications for Certificate of Public Service:

Advanced Plastic Coating Services, Inc., 1911 Southern, Parsons, KS 67357; MC ID No. 157186; Jeffry Jack, Attorney; General commodities (except household goods and hazardous materials).

Matthew Bond, 26041 3 Road, Plains, KS 67869; MC ID No. 159563; General commodities (except household goods and

hazardous materials).

Jeremiah Burbach, dba Burbach Trucking, HCR 1, Box 27, Collyer, KS 67631; MC ID No. 159568; General commodities (expect the weekeld goods and passengers)

cept household goods and passengers).

M.J. Chapple Transport, LLC, 3534 W. 29th St. South, Wichita, KS 67217; MC ID No. 156459; Rick Thompson, Attorney; Motor vehicles

City Wide Tire Service Plus, L.L.C., 4118 Clarendon, Wichita, KS 27220; MC ID No. 159560; Wrecked, disabled, repossessed and replacement vehicles.

Mark Collett, dba Collett Trucking, 2863 Hwy. 150, Marion, KS 66861; MC ID No. 159558; General commodities (except household goods and hazardous materials).

Dooley & Townsdin, L.L.C., 515 Washington, Concordia, KS 66901; MC ID No. 158379; General commodities (except household goods and hazardous materials).

Eagle Transit, Inc., 4245 W. Hwy. 50, Emporia, KS 66801; MC ID No. 159559; William Barker, Attorney; General commodities (except explosives and household goods).

Kevin D. Evans, 323 S. Cherry St., Ottawa, KS 66067; MC ID No. 159566; Mobile homes.

J & M Tank Service, LLC, 1970 AA Road, Plainville, KS 67663; MC ID No. 159561; Salt water and produced crude oil.

Dean V. Keil, dba Dean's Auto Repair, 460 S. Front, Russell, KS 67665; MC ID No. 115744; Wrecked, disabled, repossessed and replacement vehicles.

Sotero D. Marez, dba Marez Trucking, 2105 Commanche, Garden City, KS 67901; MC ID No. 159565; General commodities (except household goods and hazardous materials).

Mercer Transportation Co., Inc., 1128 W. Main St., Louisville, KY 40203-1432; MC ID No. 107195; General commodities (except Classes A and B explosives, household goods, hazardous materials and commodities in bulk).

Gary Dean Miller, dba Cowdens Tow & Recovery, 32055 W. Hwy. 56, Gardner, KS 66030; MC ID No. 159562; Wrecked, disabled, repossessed and replacement vehicles.

Raul G. Montoya, 502 Chesterfield, Garden City, KS 67646; MC ID No. 159564; General commodities (except household goods and hazardous materials).

Shawn Mourning, dba Rapid Towing, 2504 Sennett, Wichita, KS 67211; MC ID No. 159557; Wrecked, disabled, repossessed and replacement vehicles.

Oskaloosa Grain, Ltd., 2055 238 St., Oskaloosa, IA 52577; MC ID No. 134421; General commodities (except household goods and hazardous materials).

Thayne V. Schafer, dba Schafer Transport, Route 1, Box 52 A-1, Copeland, KS 67837; MC ID No. 158561; General commodities (except household goods and hazardous materials).

Wamsley Welding & Manufacturing, Inc., 880 W. Hwy. 40, Cheyenne Wells, CO 80810; MC ID No. 255507; General commodities (except household goods and hazardous materials).

Application for Name Change of Certificate of Public Service:

United Feed, L.L.C., 101 Santa Fe, Hillsboro, KS 67063, MC ID No. 155541, to: Countryside Feed, L.L.C., 101 Santa Fe, Hillsboro, KS 67063; General commodities (except household goods and hazardous materials).

Application for Transfer of Certificate of Public Service:

Chris D. Petz, dba C Bar P Trucking, 11843 W. Carr Court, Wichita, KS 67209, MC ID No. 156268, to: C Bar P Trucking, Inc., 11843 W. Carr Court, Wichita, KS 67209; General commodities (except household goods and passengers).

Jacquelyn S. Miller Administrator Transportation Division

Doc. No. 025906

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared and/or permit applications have been received for discharges to the waters of the United States and the State of Kansas for the class of discharges described below.

The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the State of Kansas and the EPA, and when issued will result in a State Water Pollution Control Permit and National Pollutant Discharge Elimination System Authorization subject to certain conditions.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

Public Notice No. KS-AG-00-352/355 Pending Permits for Confined Feeding Facilities

Name and Address of Applicant Kevin Stuenkel 1941 1st Road

Legal
Description
SW/4 of Section 30,
T5S, R4E,

Receiving Water Big Blue River

Greenleaf, KS 66943 Washington County

Kansas Permit No. A-BBWS-B004

This is a permit renewal for an existing facility for a maximum of 900 head (900 animal units) of beef cattle weighing greater than 700 pounds.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: Existing controls meet KDHE requirements.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Eugene H. Schmitt	NE/4 of Section 7,	Solomon River
P.O. Box 5	T8S, R10W,	Basin
Tipton, KS 67485	Mitchell County	

Kansas Permit No. A-SOMC-B009

This is a permit renewal for an existing facility for a maximum of 500 head (250 animal units) of beef cattle weighing 700 pounds or less.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The existing on-site livestock water well shall be sampled annually. The approved manure/waste management plan for the facility shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
DS&R Cordel Robert M. Cordel	SE/4 of Section 17, T5S, R10W,	Solomon River Basin
Route 2, P.O. Box 46 Cawker City, KS 67430	Jewell County	Dasiii

Kansas Permit No. A-SOJW-S020

This is an existing facility for a maximum of 1,846 head (738.4 animal units) of swine weighing greater than 55 pounds, and 1,260 head (126 animal units) of swine weighing 55 pounds or less. This is a modification of an existing operation.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The approved manure/waste management plan for the facility shall be adhered to as a condition of the permit. Once during the term of the permit (5 years), the soil in each field that is identified as located in a sensitive groundwater area and has received manure or wastewater in the previous five years shall be sampled and analyzed.

Name and Address of Applicant	Legal Description	Receiving Water
Dekalb Choice Genetics Inc. Genetic Complex	NE/4 of Section 35, T33S, R30W.	Cimarron River Basin
Doug Jewell 23179 #5 Road	Meade County	Dubit
Plains, KS 67869		

Kansas Permit No. A-CIME-S012

This is a permit renewal for an existing facility for a maximum of 1,750 head (700 animal units) of swine weighing greater than 55 pounds.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The approved manure/waste management plan for the facility shall be adhered to as a condition of the permit.

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Dena Endsley for agricultural permits or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Di-

vision of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620.

All comments regarding the draft permit or application notice postmarked or received on or before December 22 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-00-352/355) and name of applicant/application as listed when preparing comments.

If no objections are received during the public notice period regarding any proposed permit, the Secretary of Health and Environment will issue the final determination regarding issuance or denial of the proposed permit. If response to this notice indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). Media coordination for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

For agricultural permits and applications, a copy of the permit application, supporting documentation and a KDHE-developed fact sheet, if appropriate, is available for review at the appropriate district office:

Northwest District Office, 2301 E. 13th, Hays, 67601-2651, (785) 625-5664 North Central District Office, 2501 Market Place, Salina, 67401-7699, (785) 827-9639 Northeast District Office, 800 W. 24th, Lawrence, 66046-4417, (785) 842-4600

Southwest District Office, 302 W. McArtor Road, Dodge City, 67801-6098, (316) 225-0596

South Central District Office, 130 S. Market, 6th Floor, Wichita, 67202-3802, (316) 337-6020

Southeast District Office, 1500 W. 7th, Chanute, 66720, (316) 431-2390

Plans and documents for all new facilities and for expansions of existing swine facilities also may be reviewed on the Internet at www.kdhe.state.ks.us.

For all other proposed permits, the draft permit(s), including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information, are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water.

Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays. These documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Clyde D. Graeber Secretary of Health and Environment

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit and amending previously-issued construction permits. The City of Erie has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 et seq. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance. Notice also is given that certain requirements were found to no longer be appropriate in the construction permit dated February 16, 1999. These requirements are being modified by an applicability determination.

The City of Erie owns and operates Erie Energy Center located at 621 Power Drive, Erie.

A copy of the proposed permit, permit application, all supporting documentation, all information relied upon during the permit application review process, and a copy of the applicability determination are available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE Southeast District Office, 1500 W. 7th, Chanute. To obtain or review either document, contact Rick Bolfing, (785) 296-1576, at the KDHE central office, or Lynelle Stranghoner, (316) 431-2390, at the KDHE Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the documents to Rick Bolfing, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating final document decisions, written comments must be received by the close of business December 26.

A person may request a public hearing be held on the proposed documents. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business December 26 in order for the Secretary of Health and Environment to consider the request.

The United States Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA 45-day review period. If the EPA waives its 45-day review period, the 60-day public petition period will start directly after the 30-day public comment period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Gary Schlicht, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7097, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Clyde D. Graeber Secretary of Health and Environment

Doc. No. 025898

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Asphalt Sales of Lawrence has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of particulate matter equal to or less than 10 microns in diameter (PM₁₀) were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Asphalt Sales of Lawrence, Kansas City, Kansas, owns and operates a hot mix asphalt plant located at 31st and Haskell, Lawrence.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE Northeast District Office, 800 W. 24th, Lawrence. To obtain or review the proposed permit and supporting documentation, contact Herbert Buckland, (785) 296-6438, at the KDHE central office, or Pat Simpson, (785) 842-4600, at the KDHE Northeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Herbert Buckland, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business December 26.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business December 26 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber Secretary of Health and Environment

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the projects listed below. Seven signed copies of the response should be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, Kansas Department of Transportation, Room 1084-West, Docking State Office Building, 915 S.W. Harrision, Topeka, 66612-1568. Responses shall be limited to four pages. Responses must be received in Room 1084-West by 5 p.m. December 13 for the consulting engineering firm to be considered.

From the firms expressing interest, the Consultant Selection Committee will select a list of the most highly qualified (not less than three, not more than five) and invite them to attend an individual interview conference. At this time, the consulting firms can more thoroughly discuss their experience related to the type of project at hand and will be expected to discuss, in some detail, their approach to this project and the personnel to be assigned to the project. Firms not selected to be short listed will be notified by letter.

The Consultant Negotiating Committee, appointed by the Secretary of Transportation, will conduct the discussions with the firms invited to the individual interview conferences. The committee will select the firm to perform the professional services required for completing the advertised project. After the selection of this firm, the remaining firms will be notified by letter of the outcome.

81-87 K-8250-01, Sedgwick County

Provide a corridor improvement study for US-81 (47th Street) from Broadway Avenue east to I-135/KTA interchange in Wichita. The study should provide recommendations for an access control plan to improve the capacity and traffic flow along 47th Street to provide for future corridor improvements and economic development. The project is programmed for fiscal year 2002 and the estimated construction cost is \$200,000.

54-87 K-8203-01, Sedgwick County

Study the feasibility of ramp metering at interchanges along US-54 located in the central business district of Wichita. The project is programmed for fiscal year 2001 and the estimated construction cost is \$160,000.

169-63 K-8241-01, Montgomery County

Reconstruction of US-169 to a four-lane access controlled facility from the east junction of US-166 north to County Road 2800, northeast of Coffeyville. The project is programmed for fiscal year 2007 and the estimated construction cost is \$23,616,000.

400-29 K-8237-01, Ford County

Construction of a two-lane bypass on four-lane right-of-way with access control on US-400 from US-50/US-50B, south and east to the junction of US-56/US-283, west of Dodge City. This project is programmed for fiscal year 2008 and the estimated construction cost is \$19,079,000.

It is KDOT's policy to use the following criteria as the basis for selection of the consulting engineering firms:

- 1. Size and professional qualifications;
- 2. Experience of staff;
- 3. Location of firm with respect to proposed project;
- 4. Work load of firm; and
- 5. Firm's performance record.

E. Dean Carlson Secretary of Transportation

Doc. No. 025870

State of Kansas

Department of Wildlife and Parks

Permanent Administrative Regulations

Article 2.—FEES, REGISTRATIONS AND OTHER CHARGES

115-2-2. Motor vehicle permit fees. (a) The following motor vehicle permit fees shall be in effect for state parks and for other areas requiring a motor vehicle permit:

One-day temporary motor vehicle permit	\$ 4.50
October 1 through March 31:	
Annual motor vehicle permit	29.50
Additional motor vehicle permit	14.50
April 1 through September 30:	
Annual motor vehicle permit	
Additional motor vehicle permit	17.00

- (b) Each one-day temporary motor vehicle permit shall expire at noon on the day following its effective date. However, a one-day temporary motor vehicle permit shall expire at 2:00 p.m. on Sundays and on Memorial Day, Independence Day and Labor Day when the Sunday or the listed holiday is the day following the effective date of the one-day temporary motor vehicle permit.
- (c) This regulation shall be effective on and after January 1, 2001. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-901; effective Jan. 22, 1990; amended Oct. 12, 1992; amended Aug. 21, 1995; amended Jan. 1, 2001.)
- 115-2-3. Camping, utility, and other fees. (a) Each overnight camping permit shall be valid only for the state park for which it is purchased and shall expire at noon on the day following its effective date.
- (b) Each annual camping permit may be used in any state park for unlimited overnight camping, subject to other laws and regulations of the secretary, and shall expire on December 31 of the year for which it is issued.
- (c) Each 14-night camping permit may be used in any state park and shall expire when the permit has been used a total of 14 nights, or on December 31 of the year for which it is issued, whichever is first.
 - (d) Camping permits shall not be transferable.
- (e) The fee for a designated prime camping area permit shall be in addition to the overnight, annual, 14-night, or other camping permit fee, and shall apply on a nightly basis.

(continued)

(f) Fees shall be due at the time of campsite occupancy and by noon of any subsequent days of campsite occupancy.

(g) Fees set by this regulation shall be in addition to any required motor vehicle permit fee specified in K.A.R.

115-2-2.

(h) The following fees shall be in effect for state parks and for other designated areas for which camping and utility fees are required:

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Camping—per camping unit (January 1, 2001 t	hrough
March 31, 2001):	****
Annual camping permit	\$100.00
Overnight camping permit	4.50
14-night camping permit	50.00
Camping—per camping unit (April 1 through	Septem-
ber 30):	Kara Kara
Annual camping permit	130.00
Overnight camping permit	6.00
14-night camping permit	70.00
Prime camping area permit	2.00
Camping—per camping unit (October 1 throug	h March
31, effective beginning October 1, 2001):	
Annual camping permit	110.00
Overnight camping permit	5.00
14-night camping permit	60.00
Overflow primitive camping permit, per	
night	5.00
Cabin camping permit, per night	
Two persons over 16 years of age	30.00
Each additional person over 16 years	
of age	5.00
Utilities-electricity, water, and sewer hookup	4
per night, per unit:	
One utility	5.00
Two utilities	6.50
Three utilities	8.00
Youth group camping permit in designated	
areas, per camping unit—per night	2.50
Group camping permit in designated areas,	
per person—per night	1.50
Reservation fee, per reservation (camping, spe	
or day use)	
Rent-a-camp: equipment rental per camping	
unit—per night	15.00
Duplicate permit	5.00
Special event permit negotiated based on	
event type, required services, and lost reve-	
nue; maximum	200.00
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(i) This regulation shall take effect on and after January 1, 2001. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 1999 Supp. 32-988; effective Jan. 22, 1990; amended Jan. 28, 1991; amended June 8, 1992; amended Oct. 12, 1992; amended Aug. 21, 1995; amended Sept. 19, 1997; amended Jan. 1, 1999; amended Jan. 1, 2001.)

Article 7.—FISH AND FROGS

115-7-1. Fishing; legal equipment, methods of take, and other provisions. (a) Legal equipment and methods for taking sport fish shall be the following:

(1) Fishing lines with not more than two baited hooks

or artificial lures per line;

(2) trotlines;

(3) setlines;

(4) tip-ups; and

(5) snagging for paddlefish in waters posted by the department as open to snagging of paddlefish, subject to the following requirements:

- (A) Each paddlefish caught and landed shall be included in the creel and possession limit, unless a minimum length limit has been established and posted for that area, in which case each paddlefish not meeting the minimum length limit shall be released immediately into the waters from which it came.
- (B) Each individual fishing for paddlefish shall place all paddlefish legally caught on a stringer, cord, cable; or chain, or in a basket, sack, cage, or other holding device that shall be marked with the individual's name and address.

(C) Each individual with a filled creel limit shall cease all snagging activity in the paddlefish snagging area until

the next calendar day.

(D) Each individual taking paddlefish during the snagging season shall transport each paddlefish taken to a check station established by the department, and each paddlefish shall be taken to the check station immediately upon the filling of the daily creel limit or upon cessation of the day's fishing activity.

(E) Each paddlefish checked shall have a numbered

tag attached to its lower jaw at the check station.

(F) Each individual shall provide that person's name, address, and fishing license number to the check station attendant.

(b) Legal equipment and methods for taking non-sport fish shall be the following:

(1) Fishing lines with not more than two baited hooks or artificial lures per line;

(2) trotlines;

(3) setlines;

(4) tip-ups;

- (5) bow and arrow with a barbed head and a line attached from bow to arrow;
- (6) crossbow and arrow with a barbed head and a line attached from arrow to crossbow;
- (7) spear gun, without explosive charge, while skin or scuba diving. The spear, without explosive charge, shall be attached to the speargun or person by a line; and

(8) snagging and gigging in waters posted by the de-

partment as open to snagging or gigging.

(c) Dip nets and gaffs may be used to land any legally

caught or hooked fish.

(d) Fish may be taken by any method designated by the secretary when a fish salvage order has been issued by the secretary through public notice or posting the area open to fish salvage.

(e) Fish may be taken with the aid of boats, depth find-

ers, artificial lights, sound attracters, and scents.

(f) Fish may be taken by legal means from vehicles. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002; effective Dec. 26, 1989; amended Feb. 10, 1992; amended Oct. 1, 1999; amended Dec. 8, 2000.)

Steve Williams Secretary of Wildlife and Parks

Social and Rehabilitation Services

Request for Proposals

The Department of Social and Rehabilitation Services announces the release of a request of proposals by Rehabilitation Services of Integrated Service Delivery and Behavioral Health of Health Care Policy to provide supported employment programs for individuals with severe and persistent mental illness. Supported employment services will assist clients of Rehabilitation Services to prepare for, engage in and maintain competitive employment. Multiple grants will be awarded statewide totaling \$1,382,700.

To request a copy of the request for proposal, contact Jaryl S. Perkins, Rehabilitation Services/ISD, 3640 S.W. Topeka Blvd., Suite 150, Topeka, 66611-2373, (785) 267-5301, fax (785) 267-0263, e-mail JSP@srskansas.org. Complete proposals must be received not later than 5 p.m. December 1.

Janet Schalansky Secretary of Social and Rehabilitation Services

Doc. No. 025890

(Published in the Kansas Register November 23, 2000.)

Summary Notice of Bond Sale Reno County, Kansas \$356,000*

General Obligation Bonds, Series 2000-2 (General obligation bonds payable from unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated November 15, 2000, written bids will be received by the clerk of Reno County, Kansas (the issuer), on behalf of the governing body at the Reno County Courthouse, 206 W. 1st, Hutchinson, KS 67501, until 11:30 a.m. December 6, 2000, for the purchase of \$356,000* principal amount of General Obligation Bonds, Series 2000-2. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$2,000 (or such amount added to \$5,000 or an integral multiple thereof). The bonds will be dated December 15, 2000, and will become due on June 1 in the years as follows:

Year		Principal Amount*
2003		\$16,000
2004	The Shall Shake	20,000
2005		20,000
2006	. 4	20,000
2007		20,000
2008	والأيرواء والخاو	25,000
2009		25,000
2010		25,000

N. J.	2011	25,000
100	2012	30,000
	2013	30,000
	2014	30,000
, .	2015	35,000
	2016	35,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning June 1, 2002.

Optional Book-Entry-Only System

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$7,120* (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about December 15, 2000, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2000 is \$435,737,043. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold but excluding temporary notes to be retired in conjunction therewith, is \$4,794,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 694-2514, fax (316) 694-2534, Attention: Shari Gagnebin.

Dated November 15, 2000.

Reno County, Kansas

* Subject to change. Doc. No. 025910 (Published in the Kansas Register November 23, 2000.)

Summary Notice of Bond Sale Crawford County, Kansas \$1,285,000 General Obligation Bonds Series 2000A

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the official notice of bond sale and preliminary official statement dated November 17, 2000, sealed bids will be received by the county clerk of Crawford County, Kansas (the issuer), on behalf of the governing body of the county at the Crawford County Courthouse, P.O. Box 249, Girard, KS 66743, until 10 a.m. Tuesday, December 5, 2000, for the purchase of \$1,285,000 principal amount of General Obligation Bonds, Series 2000A. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated December 1, 2000, and will become due on November 1 in the years as follows:

双连钩 自体流流 医乳腺	Principal
Year	Amount
2001	\$ 95,000
2002	110,000
2003	115,000
2004	120,000
2005	125,000
2006	130,000
2007	135,000
2008	145,000
2009	150,000
2010	160,000
	er a de la companya

The bonds will be subject to optional redemption prior to maturity as provided in the official notice of bond sale and preliminary official statement.

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning May 1, 2001.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$25,700 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered to the facilities of the Depository Trust Company, New York, New York, without cost to the successful bidder within 45 days after the date of sale.

Assessed Valuation and Indebtedness

The total assessed valuation of taxable tangible property in the county for the year 2000 is \$204,659,464. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$8,614,000, including, as of the date of the bonds, temporary notes in the outstanding principal amount of \$1,639,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the county clerk, (316) 724-6115, or from the financial advisor, Kirkpatrick Pettis, Kansas City, Missouri, (816) 360-2270.

Dated November 17, 2000.

Crawford County, Kansas Kevin Anselmi, County Clerk Crawford County Courthouse P.O. Box 249 Girard, KS 66743

Doc. No. 025903

(Published in the Kansas Register November 23, 2000.)

Summary Notice of Sale City of Olathe \$7,500,000* General Obligation Temporary Notes Series 2000-C

(General obligations payable from unlimited ad valorem taxes)

Bids

Subject to the notice of sale and preliminary official statement, bids will be received by the director of financial services of the City of Olathe, Kansas, on behalf of the governing body at the Municipal Building, 126 S. Cherry St., Olathe, KS 66061, on Monday, December 4, 2000, for the purchase of \$7,500,000* General Obligation Temporary Notes, Series 2000-C. Bids for the notes will be read at 11 a.m. local time on that day. No bid will be considered of less than 99.50 percent of the principal amount of the notes and accrued interest to the date of delivery.

Note Details

The notes will consist of fully registered notes in the denomination of \$5,000 or any integral multiple thereof. Notes shall initially be registered in the name of Cede &

Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the notes will be made. Individual purchases of notes will be made in book-entry form only. Purchasers will not receive certificates representing their interest in notes purchased. The notes will be dated December 15, 2000, and will become due on June 1, 2001. The notes will bear interest from the dated date at rates to be determined when the notes are sold, and interest will be payable at maturity on June 1, 2001. The Olathe city treasurer will be the paying agent and note registrar for the notes.

Good Faith Deposit

Each bid for the notes shall be accompanied by a good faith deposit in the form of a cashier's or certified check or a financial surety bond in the amount of 1 percent of the principal amount of the notes.

Delivery

The city will pay for preparing the notes. The city will deliver the notes in book-entry form only through the facilities of the Depository Trust Company, New York, New York, on or before December 21, 2000.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2000 is \$877,543,002. The total general obligation indebtedness of the city as of the date of the notes, including the notes, is \$103,799,662, and the total general obligation indebtedness of the city as of December 31, 1999, for debt limitation purposes was \$41,098,022.

Approval of Notes

The notes will be sold subject to the legal opinion of Gilmore & Bell, P.C., Kansas City, Missouri, bond counsel, whose approving legal opinion as to the validity of the notes will be furnished and paid for by the city, will accompany the notes and be delivered to the successful bidder when the notes are delivered.

Additional Information

Additional information regarding the notes may be obtained from Kevin Hammeke, the city's director of financial services, (913) 782-2600; or from the city's financial advisor, George K. Baum & Company, Kansas City, Missouri, Attention: Dave Arteberry, (816) 474-1100.

Dated November 7, 2000.

City of Olathe, Kansas Kevin Hammeke Director of Financial Services Municipal Building 126 S. Cherry St. Olathe, KS 66061 Fax (913) 393-6203

Doc. No. 025902

(Published in the Kansas Register November 23, 2000.)

Summary Notice of Note Sale City of Concordia, Kansas \$1,850,000 Temporary Notes, Series 2000-2

(General obligation notes payable from unlimited ad valorem taxes)

Bids

Subject to the notice of note sale dated November 15, 2000, bids will be received by Springsted Incorporated (the financial advisor), 85 E. 7th Place, Suite 100, St. Paul, MN 55101, on behalf of the City of Concordia, Kansas (the issuer), until 11:30 a.m. December 6, 2000, for the purchase of \$1,850,000 principal amount of Temporary Notes, Series 2000-2, of the City of Concordia, Kansas. No bid of less than 99 percent of the principal amount of the notes and accrued interest thereon to the date of delivery will be considered.

Note Details

The notes will consist of one fully registered book-entry only note, registered under a book-entry only system administered through DTC. The notes will be dated December 15, 2000, and will become due on November 1, 2002. The notes will bear interest from the date thereof at the rate to be determined when the notes are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, commencing May 1, 2001, or earlier redemption.

Paying Agent and Note Registrar

Concordia city treasurer.

Delivery

The issuer will pay for printing the notes and will deliver the same properly prepared, executed and registered without cost to DTC for the account of the successful bidder on or about December 15, 2000.

Assessed Valuation and Indebtedness •

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2000 is \$23,716,383. The total general obligation indebtedness of the issuer as of the date of delivery of the notes, including the notes being sold, is \$4,900,000.

Approval of Notes

The notes will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the notes will be furnished and paid for by the issuer and delivered to the successful bidder when the notes are delivered.

Additional Information

Additional information regarding the notes may be obtained from the clerk, City Hall, P.O. Box 603, Concordia, KS 66901, (785) 243-2670; or from the financial advisor, Springsted Incorporated, Attention: Bruce Kimmel, (651) 223-3000, fax (651) 223-3046.

Dated November 15, 2000.

City of Concordia, Kansas

Doc. No. 025911

Department of Revenue

Notice of Available Publications

Listed below are all the Private Letter Rulings, Opinion Letters, Revenue Rulings, Memorandums, Property Valuation Division Directives, Q&As, Information Guides and Notices published by the Department of Revenue for October 2000. Copies can be obtained by accessing the Policy Information Library located on the Internet at www.ink.org/public/kdor or by calling the Office of Policy and Research at (785) 296-3081.

Private Letter Rulings

tions:

P-2000-038	Sales of excavated materials such as sand, gravel,
	and rock and the hauling charges associated with
a the contract of	delivery to a job site.
P-2000-048	Distribution from IRAs, either in a cash distribu-
	tion from an IRA or in the conversion of an IRA
	into a Roth IRA.
P-2000-049	Taxability of safety equipment used at a chemical
	manufacturing facility.
P-2000-050	Hotel rooms rented for long term periods by a sin-
	gle corporation.
P-2000-051	Computer repair and maintenance services per-
er gers in the district	formed at a home or other residence.
P-2000-054	Drop shipments.
P-2000-055	

Opinion L	etters
O-2000-017	Wholesale sales of vegetable and garden seed packets to Kansas retailers.
O-2000-018	Operation of a quarry in Kansas and performance of construction contracts with rock and other ma-
	terials removed from that quarry.
O-2000-019	Signs and billboards.
O-2000-020	Annual fundraising events
O-2000-021	Business of advising clients about opportunities such as college, scholarships, financial aid, and oc-

Shipping charges for items purchased by a Kansas O-2000-022 customer from an out-of-state vendor.

Admission charges to a music concert sponsored O-2000-023 by a hospital; hospital to benefit from the profits of the concert.

Core charges; replacement parts for cars, trucks O-2000-024 and other equipment.

Leases of grain storage bins and grain drying bins. O-2000-025 Convenience store sales. O-2000-026

Health food products and herbal supplements. O-2000-027

O-2000-028 Management services.

Purchases of parts and repairs for aircraft. O-2000-029

Sales of water used exclusively to water livestock O-2000-030 held for resale.

Request for a list of Wichita businesses that are O-2000-031 registered to report sales tax on a monthly or quarterly basis.

Revenue Rulings

No new publications

Notices

Notice 00-08 Kansas Exemption for Manufacturing Machinery & Equipment as Expanded by House Bill No.

Memorandums

No new publications

Property Valuation Division Directives

4-7-215

Reg. No.

No new publications

O&As

No new publications

Information Guides

No new publications

Karla Pierce Secretary of Revenue

V. 19, p. 118

Register

Doc. No. 025889

INDEX TO ADMINISTRATIVE REGULATIONS

cupations.

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the Kansas Register issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the index to the 1997 Volumes of the Kansas Administrative Regulations and the 1999 Supplement to the Kansas Administrative Regulations.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-1-5	New	V. 18, p. 1337
1-2-30	Amended	V. 18, p. 1337
1-2-74	New	V. 18, p. 1337
1-2-84	Amended	V. 18, p. 1337
1-2-84a	New	V. 18, p. 1337

1-2-84b	New	V. 18, p. 1338
1-4-8	Amended	V. 18, p. 1338
1-5-22	Amended	V. 18, p. 1338
1-5-24	Amended	V. 19, p. 1337
1-6-25	Amended	V. 18, p. 1338
1-6-32	Amended	V. 18, p. 1339
1-8-6	Amended	V. 18, p. 1339
1-9-2	Amended	V. 18, p. 1340
1-9-7b	Amended (T)	V. 18, p. 1748
1-9-14	Amended (T)	V. 18, p. 1390
1-9-19a	Amended	V. 18, p. 1341
1-9-23	Amended (T)	V. 19, p. 243
1-9-23	Amended	V. 19, p. 944
1-9-25	Amended	V. 18, p. 1342
1-10-10	New	V. 18, p. 1344
1-10-11	New	V. 18, p. 1345
1-16-18	Amended	V. 18, p. 869
1-16-18a	Amended	V. 18, p. 869
1-18-1a	Amended (T)	V. 19, p. 1157
1-18-1a	Amended	V. 19, p. 1719
1-49-1	Amended	V. 19, p. 724

1-16-14 1-49-1	Amended	V. 19, p. 724
AGENC	Y 3: KANSAS STA	TE TREASURER
Reg. No.	Action	Register
3-2-1	New	V. 19, p. 1016
3-2-2	New	V. 19, p. 1016
3-2-3	New	V. 19, p. 1016
3-3-1	New (T)	V. 19, p. 1157
3-3-1	New	V. 19, p. 1678
AGENCY 4	: DEPARTMENT	OF AGRICULTURE
Reg. No.	Action	Register
4-7-213	Amended	V. 19, p. 117
4-7-214	Amended	V. 19, p. 117

V. 19, p. 118 4-7-216 New V. 19, p. 1679 Amended 4-8-14a V. 19, p. 1679 Amended 4-8-27 V. 19, p. 1680 'Amended 4-8-28 V. 19, p. 1680 Amended 4-8-29 V. 19, p. 1680 4-8-32 Amended V. 19, p. 1680 4.8.34 Amended V. 19, p. 1680 Amended 4-8-41 V. 19, p. 1680 4-8-42 New V. 18, p. 418 V. 18, p. 418 Amended 4-20-11 4-20-15 New 4-21-1 through V. 18, p. 418-420 New 4-21-6

Revoked

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Action

5-1-1	Amended	V. 19, p. 1476
5-1-3 through		
5-1-12	New	V. 19, p. 1480-1483
5-2-3	New	V. 19, p. 1484
5-3-1a	New	V. 19, p. 1484
5-3-4b	Amended	V. 19, p. 1484
5-3-4c	New	V. 19, p. 1484
5-3-4d	New	V. 19, p. 1485
5-3-4e	New	V. 19, p. 1485
5-3-5d	Amended	V. 19, p. 1485
5-3-5e	Amended	V. 19, p. 1485

C 2 C -								
5-3-5g through			9-20-4	New	V. 18, p. 1	61 28-19-52	Revoked	V. 18, p. 50
5-3-5n	New	V. 19, p. 1485, 1486	9-29-6	Amended	V. 18, p. 8	95 28-19-20		V. 18, p. 106
5-3-11	Amended	V. 19, p. 1486 V. 19, p. 1486		AGENCY	11: STATE	28-19-65	0 New	V. 18, p. 50
5-3-16	Amended	V. 19, p. 1490	. С	ONSERVATIO	N COMMISSION	28-19-720		V. 18, p. 782
5-3-19			Reg. No.	Action	Register	28-19-729 28-19-729		V. 19, p. 565
through			11-7-1			through	7a	
5-3-28 5-4-5	New New	V. 19, p. 1490-1493	through			28-19-729	h New	V. 19, p. 566-569
5-4-8	New	V. 19, p. 1494 V. 19, p. 1494	11-7-8	Amended	V. 18, p. 1808-18	10 28-19-735		V 18, p. 782
5-5-1	Amended	V. 19, p. 1494 V. 19, p. 1495	11-7-10	Amended	V. 18, p. 18) Amended	V. 18, p. 782
5-5-6	Amended	V. 19, p. 1495	11-7-11 through			28-19 -7 51		V. 18, p. 1099
5-5-13	New	V. 19, p. 1496	11-7-15	New	·V 10 - 1011 10	28-19-752		V. 18, p. 1099
5-5-14	New	V. 19, p. 1496	11-9-1	INCM	V. 18, p. 1811, 18		la New	V. 18, p. 1099
5-5-16	New	V. 19, p. 1496	through			28-23-81		
5-6-3 through	er in de la company de la comp		11-9-10	New	V. 18, p. 79, 8	through 28-23-89	Revoked	V 10 - 1600
5-6-15	New	W 10 - 1407 1400	AG	FNCV 16. ATT	ORNEY GENERAL	28-19-751		V. 18, p. 1099 V. 18, p. 1099
5-7-4	Amended	V. 19, p. 1497-1499 V. 19, p. 1499				28-19-752		V. 18, p. 1099
5-7-4a	New	V. 19, p. 1500	Reg. No.		Register	28-19-752		V. 18, p. 1099
5- 7 -5	New	V. 19, p. 1500	16-6-1	Amended	V. 19, p. 39		and the second	
5-8-3	New	V. 19, p. 1500	AGENC	Y 17: STATE BA	NK COMMISSIONE	R through		
5-8-4	New	V. 19, p. 1501	Reg. No.	Action	Register	20-23-09	Revoked	V. 18, p. 1099
5-8-6	New	V. 19, p. 1501	17-22-1	Amended	V. 19, p. 50	28-29-3 00 28-29-17a	Amended	V. 18, p. 1345
5-8-7 5-8-8	New	V. 19, p. 1502	17-23-16	Amended	V. 19, p. 50 V. 19, p. 50			V. 18, p. 1948
5-9-11	New New	V. 19, p. 1502	17-24-1	New	V. 18, p. 95		New	V. 18, p. 1949
5-12-1	INEW	V. 19, p. 1503	17-24-2	New	V. 18, p. 95		New	V. 18, p. 1346 V. 18, p. 1347
through		and the state of t	AGI	NCY 22 STAT	E FIRE MARSHAL	28-29-25c	,New	V 18, p. 1348
5-12-4	New	V. 19, p. 1503, 1504	Reg. No.			28-29-25e		V. 18, p. 1350
5-13-1				Action	Register	28-29-25f	New	V. 18, p. 1351
through			22-19-1 22 ₋ 19-2	Amended	V. 18, p. 117		Revoked	V. 18, p. 673
5-13-11	New	V. 19, p. 1504-1507	22-19-3	Amended Amended	V. 18, p. 117	0 28-29-98	Revoked	V. 18, p. 1949
5-14-1	· · · · · · · · · · · · · · · · · · ·		22-19-4a	New	V. 18, p. 117	1 28-29-1100 1 through	,	
through	N1				V. 18, p. 117	28-29-1107	7 New	V 10 - 041-042
5-14-7 5-21-4	New	V. 19, p. 1507-1509	ACDIC	GENCY 25: DEI	PARTMENT OF	28-29-2101		V. 19, p. 941-943
5-21-5	Amended New	V. 19, p. 1509	AGRIC	ULIUKE (KAN	ISAS STATE GRAIN	through		
5-21-8	New	V. 19, p. 1510 V. 19, p. 1510	Day 37-	INSPEC		28-29-2113	New	V. 18, p. 1949-1963
5-21-9	New	V. 19, p. 1510 V. 19, p. 1510	Reg. No.	Action	Register	28-31-1	Amended	V. 18, p. 673
5-23-1	Amended	V. 19, p. 1510	25-5-1	New	V. 18, p. 53	3 28-31-2	Amended	V. 18, p. 673
5-23-3	Amended	V. 19, p. 1511	AGEN	CY 26: DEPART	MENT ON AGING	28-31-3	Amended	V. 18, p. 674
5-23-3a	New	V. 19, p. 1511	Reg. No.	Action	Register	28-31-4 28-31-6	Amended	V. 18, p. 674
5-23-4 5-23-4a	Amended	V. 19, p. 1512	26-1-2	Amended		00.64.6	Amended Amended	V. 18, p. 678
5-23-4a 5-23-4b	Amended	V. 19, p. 1513	26-1-4	Amended	V. 18, p. 188 V. 18, p. 544	00.04.01	Amended	V. 18, p. 679
5-23-14	New New	V. 19, p. 1513	26-1-6	Amended	V. 18, p. 544	00.010	Amended	V. 18, p. 680 V. 18, p. 680
5-23-15	New	V. 19, p. 1514	26-1-9	New	V. 18, p. 188		Amended	V. 18, p. 681
5-40-1	Amended	V. 19, p. 1514 V. 19, p. 1514	26-2-4	Amended	V. 18, p. 1880) 28-31-12	Amended	V. 18, p. 681
5-40-4	Amended	V. 19, p. 1515	26-2-7	Amended	V. 18, p. 1880) 28-31-13	Amended	V. 18, p. 682
5-40-11	New	V. 19, p. 1515	26-2-9	Amended	V. 18, p. 1880) 28-31-14	Amended	V. 18, p. 682
5-40-14	New	V. 19, p. 1515	26-3-1 26-3-3	Amended	V. 18, p. 1881	28-31-15	New	V. 18, p. 682
5-40-15	New	V. 19, p. 1515	26-3-5	Revoked	V. 18, p. 1882	28-31-16 28-36-10	New	V. 18, p. 682
5-40-16	New	V. 19, p. 1515	26-8-4	Amended Revoked	V. 18, p. 1882			
5-41-1 5-41-6	Amended	V. 19, p. 1516		A Company of the Comp	V. 18, p. 1882	28-36-18	Revoked	V 18 - 1000
5-42-3	Amended Revoked	V. 19, p. 1516	AGE	NCY 27: STATE	CORPORATION	20.27.20	Nevokeu	V. 18, p. 1099
5-42-4	New	V. 19, p. 1516 V. 19, p. 1517			AS ENERGY OFFICE)	through		
5-45-1	Amended	V. 19, p. 1517	Reg. No.	Action	Register	28-36-29	Revoked	V. 18, p. 1099, 1100
5-45-4	Amended	V. 19, p. 1518	27-2-1	Revoked	V. 18, p. 231	28-36-101	1 1 1 1 1 1 1 1 1	
5-45-13	Amended	V. 19, p. 1518	AGENC	Y 28: DEPARTI	MENT OF HEALTH	inrough		
5-45-14	Amended	V. 19, p. 1518	`	AND ENVIR	ONMENT	28-36-108	New	V. 18, p. 1100-1102
5-45-18	New	V. 19, p. 1518	Reg. No.	Action	Register	28-36-10 through		
5-46-1 5-46-3	New New	V. 19, p. 1519	28-1-2	Amended	V. 19, p. 141	28-36-18	Revoked	V. 18, p. 1099
5-46-4	New	V. 19, p. 1519	28-1-6	Amended	V. 18, p. 953	28-36-20	TIC TORCH	v. 10, p. 1099/
, t		V. 19, p. 1520	28-1-18	Amended	V. 10, p. 933 V. 19, p. 141	through		
AGE	NCY 7: SECRETA	RY OF STATE	28-1-25	Revoked	V. 18, p. 105	28-36-29	Revoked	V. 18, p. 1099, 1100
Reg. No.	Action	Register	28-1-26	New	V. 19, p. 142	28-36-101	Sign of all in	
7-31-1			28-4-330			through	1 22 July 184	
through			through	NT (77)	77.40	28-36-108	New	V. 18, p. 1100-1102
7-31-4	Revoked	V. 18, p. 672	28-4-343 28-4-330	New (T)	V. 18, p. 1058-1070	28-38-18		보이름다 그 선수수
7-32-1	Amended	V. 19, p. 1269	through		in the second	through 28-38-23	Amended	W 10 - 1000 1000
7-32-2	Amended	V. 19, p. 1269	28-4-343	New	V. 18, p. 1600-1612	28-38-26	Amended	V. 19, p. 1078-1080
7-35-1 7-35-1	Amended (T)	V. 18, p. 1389	28-4-501	Amended	V. 19, p. 422	28-38-28	Amended	V. 19, p. 1081 V. 19, p. 1081
7-35-1 7-35-2	Amended Amended (T)	V. 18, p. 1879	28-4-503	Amended	V. 19, p. 423	28-38-29	Amended	V. 19, p. 1081 V. 19, p. 1081
7-35-2	Amended (1)	V. 18, p. 1390 V 18 p. 1870	28-4-504	Amended	V. 19, p. 423	28-38-30	New	V. 19, p. 1081 V. 19, p. 1082
7-40-1	New	V. 18, p. 1879 V. 18, p. 1148	28-4-505	Amended	V. 19, p. 423	28-39-133	Revoked	V. 18, p. 1393
	5.3.5	- ,	28-4-513 28-4-530	Amended	V. 19, p. 423	28-39-134	1000 300	
AC	GENCY 9: ANIMA		28-4-530 28-4-531	Revoked	V. 19, p. 423	through		
Dag M	DEPARTME	7. Company 2 (1) 1. Company 2. Company 2	28-16-28b	Revoked	V. 19, p. 423	28-39-137 28-30-144	Revoked	V. 18, p. 1393
Reg. No.	Action	Register	through			28-39-144 28-39-145	Amended	V. 18, p. 1393
9-10-33	New (T)	V. 19, p. 1469	28-16-28f	Amended	V. 18, p. 1021-1033	28-39-145 28-39-145a	Revoked New	V. 18, p. 1395
9-14-2	Amended (T)	V 19, p. 1338	28-16-28b	Amended	V. 18, p. 1021-1033 V. 19, p. 1720	28-39-152	Amended	V. 18, p. 1395
9-14-2	Amended	V. 19, p. 1748	28-16-28e	Amended	V. 19, p. 1723	28-39-160	Amended	V. 18, p. 1397
9-15-4 9-15-4	Amended (T)	V. 19, p. 1338	28-17-15	Amended (T)	V. 19, p. 680	28-39-161	Amended	V. 18, p. 1399 V. 18, p. 1400
9-15- 4 9-15-5	Amended New (T)	V. 19, p. 1748	28-17-15	Amended	V. 19, p. 1190	28-39-162a	Amended	V. 18, p. 1400 V. 18, p. 1401
-, 20-0	New (T)	V. 19, p. 1469	28-19-50	Revoked	V. 18, p. 50			(continued)
			and the state of the state of	* /	, , , , , , , , , , , , , , , , , , ,	. A		(commune)

28-39-162c	Amended	V. 18, p. 1405		GENCY 30: SOCI		49-45-29		
28-39-163	Amended	V. 18, p. 1410	, Air	HABILITATION S		through 49-45-34	New	V. 19, p. 505
28-39-240	Amended	V. 18, p. 1412 V. 18, p. 1413	Reg. No.	Action	Register	49-45a-1	Amended	V. 19, p. 505
28-39-245 28-39-247	Amended Amended	V. 18, p. 1414	30-2-12 30-2-16	Amended Amended	V. 18, p. 271 V. 18, p. 895	49-45a-2		
28-39-275			30-4-50	Amended	V. 19, p. 1548	through 49-45a-27	Revoked	V. 19, p. 506
through 28-39-291	New	V. 18, p. 1416-1423	30-4-64	Amended	V. 18, p. 1722	49-46-1	Amended	V. 19, p. 506 V. 19, p. 507
28-39-300	INCW	v. 10, p. 1110 1	30-5-59 30-5-64	Amended Amended	V. 19, p. 1548 V. 19, p. 1549	49-47-1 49-47-1a	Amended \\ New	V. 19, p. 507
through		V 10 - 1422	30-5-81	Amended	V. 19, p. 1587	49-47-1b	New	V. 19, p. 507
28-39-312 28-39-425	Revoked	V. 18, p. 1423	30-5-309	Amended	V. 19, p. 988	49-47-2	Amended	V. 19, p. 507
through		双面性的 海绵透镜各位数点	30-6-59	Revoked Amended	V. 18, p. 895 V. 18, p. 895	49-48-1 49-49-1a	Amended New	V. 19, p. 508 V. 19, p. 508
28-39-437	New	V. 18, p. 1423-1429	30-6-86 30-6-103	Amended	V. 18, p. 896	49-50-1		
28-50-1 28-50-2	Amended Amended	V. 18, p. 1353 V. 18, p. 1355	30-10-21	Amended	V. 19, p. 1550	through	المحافظ المحادث	V. 19, p. 509, 510
28-50-4	Amended	V. 18, p. 1356	30-14-30	Amended Amended	V. 18, p. 896 V. 18, p. 1843	49-50-4 49-50-6	Amended	v. 15/p. 562/510
28-50-5	Amended	V. 18, p. 1356	30-44-2			through		
28-50-6 28-50-7	Amended Revoked	V. 18, p. 1356 V. 18, p. 1358	AG	ENCY 36: DEPAR TRANSPORTA		49-50-15	Amended	V. 19, p. 510-513
28-50-8	Amended	V. 18, p. 1358	Reg. No.	Action	Register	49-50-17 through		
28-50-9	Amended	V. 18, p. 1359	36-2-3	Revoked	V. 19, p. 1449	49-50-20	Amended	V. 19, p. 513, 514
28-50-10	Amended	V. 18, p. 1363 V. 18, p. 1363	36-2-4	Revoked	V. 19, p. 1449	49-50-21	New	V. 19, p. 514
28-50-14 28-65-1	Amended Amended	V. 18, p. 682	36-2-6	Revoked	V. 19, p. 1449	49-50-22 49-51-1	New Amended	V. 19, p. 515 V. 19, p. 515
28-65-2	Amended	V. 18, p. 683	36-2-8 through			49-51-2	Amended	V. 19, p. 515
28-65-3	Amended	V. 18, p. 683 V. 18, p. 1459	36-2-13	Revoked	V, 19, p. 1449	49-51-3	Amended	- V. 19, p. 515
28-72-1 28-72-1	New (T) New	V. 18, p. 1888	36-15-23	Revoked	V. 19, p. 1622	49-51-3a 49-51-6	New	V. 19, p. 516
28-72-2	New (T)	V. 18, p. 1462	36-34-1	Revoked	V. 19, p. 1622	through		
28-72-2	New (T)	V. 18, p. 1891 V. 18, p. 1462	a	By Department of	Education)	49-51-12	Amended	V. 19, p. 516-518
28-72-3 28-72-3	New (T) New	V. 18, p. 1891	36-13-20	Revoked	V, 18, p. 1823	49-51-14	Revoked	V. 19, p. 518
28-72-4	New (T)	V. 18, p.1463	36-13-30			49-52-5 through	The State of the S	
28-72-4	New	V. 18, p. 1892	through 36-13-35	Revoked	V. 18, p. 1823	49-52-9	Amended	V. 19, p. 518-520
28-72-4a 28-72-4a	New (T) New	V. 18, p. 1466 V. 18, p. 1895	36-13-37	Revoked	V. 18, p. 1823	49-52-11	Amended	V. 19, p. 520 V. 19, p. 520
28-72-4b	New (T)	V. 18, p. 1468	36-13-38	Revoked	V. 18, p. 1823	49-52-13 49-52-14	Amended Amended	V. 19, p. 521
28-72-4b	New	V. 18, p. 1897	36-13-39	Revoked	V. 18, p. 1823	49-52-15	Revoked	V. 19, p. 521
28-72-4c 28-72-4c	New (T) New	V. 18, p. 1470 V. 18, p. 1898	AGE	NCY 40: KANSAS		49-52-16	New	V. 19, p. 521
28-72-5	New (T)	V. 18, p. 1471		DEPARTM	Register	49-52-17 49-54-1	New	V. 19, p. 521
28-72-5	New	V. 18, p. 1900 V. 18, p. 1473	Reg. No.	Action		through		
28-72-6	New (T)		40-2-26 40-3-26	Amended Amended	V. 18, p. 1058 V. 19, p. 303	49-54-3	Revoked	V. 19, p. 521
28-72-6 28-72-6 28-72-7	New (T) New New (T)	V. 18, p. 1902 V. 18, p. 1475	40-2-26 40-3-26 40-3-27	Amended Revoked	V. 19, p. 303 V. 19, p. 680	49-54-3 AGENC	Y 51: DEPART	MENT OF HUMAN
28-72-6 28-72-7 28-72-7	New New (T) New	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1904	40-3-26 40-3-27 40-3-32	Amended Revoked Amended	V. 19, p. 303 V. 19, p. 680 V. 19, p. 303	49-54-3 AGENC	Y 51: DEPARTM	MENT OF HUMAN ON OF WORKERS
28-72-6 28-72-7 28-72-7	New New (T) New New (T)	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1904 V. 18, p. 1476	40-3-26 40-3-27 40-3-32 40-3-33	Amended Revoked Amended Amended	V. 19, p. 303 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016	49-54-3 AGENO RESOU	Y 51: DEPARTM RCES—DIVISION COMPENS.	MENT OF HUMAN ON OF WORKERS ATION
28-72-6 28-72-7 28-72-7 28-72-8 28-72-8	New New (T) New	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1904 V. 18, p. 1476 V. 18, p. 1905 V. 18, p. 1478	40-3-26 40-3-27 40-3-32	Amended Revoked Amended	V. 19, p. 303 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 19, p. 303	49-54-3 AGENC RESOU Reg. No.	Y 51: DEPARTN RCES—DIVISIO COMPENS Action	MENT OF HUMAN ON OF WORKERS ATION Register
28-72-6 28-72-7 28-72-7 26-72-8 28-72-8 28-72-9 28-72-9	New (T)	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1904 V. 18, p. 1476 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1907	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-3-49 40-4-34	Amended Revoked Amended Amended Amended Amended Amended	V. 19, p. 303 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 19, p. 303 V. 18, p. 124	49-54-3 AGENC RESOU Reg. No. 51-9-7	Y 51: DEPARTM RCES—DIVISION COMPENS Action Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170
28-72-6 28-72-7 28-72-7 26-72-8 28-72-8 28-72-9 28-72-9 28-72-10	New (T) New (T) New (T) New New (T) New New (T) New New (T)	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1904 V. 18, p. 1476 V. 18, p. 1905 V. 18, p. 1478	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-3-49 40-4-34 40-4-35	Amended Revoked Amended Amended Amended Amended Amended Amended	V. 19, p. 303 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE	Y 51: DEPARTM RCES—DIVISION COMPENS. Action Amended INCY 60: BOARI	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING
28-72-6 28-72-7 28-72-7 26-72-8 28-72-8 28-72-9 28-72-9	New (T)	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1904 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1478 V. 18, p. 1907 V. 18, p. 1480 V. 18, p. 1909 V. 18, p. 1481	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-3-49 40-4-34 40-4-35 40-4-35	Amended Revoked Amended Amended Amended Amended Amended	V. 19, p. 303 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 19, p. 1853 V. 18, p. 1883	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No.	Y 51: DEPARTM RCES—DIVISION COMPENS. Action Amended INCY 60: BOARD Action	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register
28-72-6 28-72-7 28-72-7 28-72-8 28-72-8 28-72-9 28-72-9 28-72-10 28-72-11 28-72-11	New (T)	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1904 V. 18, p. 1476 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1907 V. 18, p. 1480 V. 18, p. 1909 V. 18, p. 1481 V. 18, p. 1910	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-3-49 40-4-35 40-4-35 40-4-35 40-4-42 40-4-42	Amended Revoked Amended Amended Amended Amended Amended Amended Amended Amended New New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1883	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101	Y 51: DEPARTN RCES—DIVISION COMPENS Action Amended NCY 60: BOARI Action Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING
28-72-6 28-72-7 28-72-7 28-72-8 28-72-9 28-72-9 28-72-10 28-72-10 28-72-11 28-72-11 28-72-11	New (T)	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1904 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1478 V. 18, p. 1907 V. 18, p. 1480 V. 18, p. 1909 V. 18, p. 1481	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-34 40-4-35 40-4-35 40-4-42 40-4-42a 40-4-42b	Amended Revoked Amended Amended Amended Amended Amended Amended Amended Amended New New New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1883 V. 18, p. 1884	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No.	Y 51: DEPARTM RCES—DIVISIC COMPENS. Action Amended NCY 60: BOARI Action Amended Amended Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 O OF NURSING Register V. 18, p. 51 V. 18, p. 51 V. 19, p. 344
28-72-6 28-72-7 28-72-8 28-72-8 28-72-9 28-72-10 28-72-10 28-72-11 28-72-11 28-72-12 28-72-12 28-72-12	New New (T)	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1904 V. 18, p. 1905 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1478 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1481 V. 18, p. 1910 V. 18, p. 1482 V. 18, p. 1911 V. 18, p. 1911 V. 18, p. 1483	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-34 40-4-35 40-4-35 40-4-42 40-4-42b 40-4-42c	Amended Revoked Amended Amended Amended Amended Amended Amended Amended New New New New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1883	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-7-101	Y 51: DEPARTM RCES—DIVISIO COMPENS Action Amended NCY 60: BOARI Action Amended Amended Amended Amended Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 18, p. 51 V. 19, p. 344 V. 18, p. 52
28-72-6 28-72-7 28-72-8 28-72-8 28-72-9 28-72-10 28-72-10 28-72-11 28-72-11 28-72-12 28-72-13 28-72-13	New (T)	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1478 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1481 V. 18, p. 1481 V. 18, p. 1482 V. 18, p. 1482 V. 18, p. 1483	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-34 40-4-35 40-4-35 40-4-42 40-4-42a 40-4-42b	Amended Revoked Amended Amended Amended Amended Amended Amended Amended Amended New New New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1885 V. 18, p. 1885 V. 18, p. 1885	49-54-3 AGENC RESOU REG. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-7-101 60-11-101	Y 51: DEPARTN RCES—DIVISIO COMPENS Action Amended NCY 60: BOARI Action Amended Amended Amended Amended Amended Amended Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 18, p. 51 V. 19, p. 344 V. 18, p. 52 V. 19, p. 344
28-72-6 28-72-7 28-72-7 28-72-8 28-72-9 28-72-10 28-72-10 28-72-11 28-72-11 28-72-12 28-72-12 28-72-13 28-72-13	New (T)	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1904 V. 18, p. 1905 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1478 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1481 V. 18, p. 1910 V. 18, p. 1482 V. 18, p. 1911 V. 18, p. 1911 V. 18, p. 1483	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-35 40-4-35 40-4-35 40-4-42 40-4-42b 40-4-42b 40-4-42d 40-4-42d 40-4-42d	Amended Revoked Amended Amended Amended Amended Amended Amended (T) Amended New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1886 V. 18, p. 1886 V. 18, p. 1886	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-7-101	Y 51: DEPARTN RCES—DIVISIO COMPENS Action Amended NCY 60: BOARI Action Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 18, p. 51 V. 19, p. 344 V. 18, p. 52 V. 19, p. 344 V. 19, p. 345 V. 19, p. 345 V. 19, p. 346
28-72-6 28-72-7 28-72-8 28-72-8 28-72-9 28-72-10 28-72-10 28-72-11 28-72-11 28-72-12 28-72-13 28-72-13 28-72-14 28-72-14 28-72-14	New (T)	V. 18, p. 1902 V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1904 V. 18, p. 1905 V. 18, p. 1905 V. 18, p. 1907 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1909 V. 18, p. 1481 V. 18, p. 1910 V. 18, p. 1482 V. 18, p. 1912 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1913 V. 18, p. 1914	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-34 40-4-35 40-4-35 40-4-35 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420	Amended Revoked Amended Amended Amended Amended Amended Amended Amended New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 18, p. 1883 V. 18, p. 1883 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1886 V. 18, p. 1886 V. 18, p. 1887 V. 18, p. 1887	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-7-101 60-11-103 60-11-104a 60-11-104a	Y 51: DEPARTM RCES—DIVISIO COMPENS. Action Amended INCY 60: BOARI Action Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 18, p. 51 V. 19, p. 344 V. 19, p. 344 V. 19, p. 345 V. 19, p. 346 V. 19, p. 346 V. 19, p. 346
28-72-6 28-72-7 28-72-7 28-72-8 28-72-9 28-72-10 28-72-10 28-72-11 28-72-11 28-72-12 28-72-12 28-72-13 28-72-14 28-72-14 28-72-14 28-72-15	New (T)	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1478 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1909 V. 18, p. 1481 V. 18, p. 1910 V. 18, p. 1482 V. 18, p. 1911 V. 18, p. 1483 V. 18, p. 1483 V. 18, p. 1483 V. 18, p. 1483 V. 18, p. 1484	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-34 40-4-35 40-4-35 40-4-35 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420	Amended Revoked Amended Amended Amended Amended Amended Amended Amended New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 19, p. 303 V. 18, p. 124 V. 18, p. 124 V. 18, p. 1853 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1886 V. 18, p. 1887	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-7-101 60-11-103 60-11-104 60-11-104 60-11-106	Y 51: DEPARTN RCES—DIVISIO COMPENS. Action Amended NCY 60: BOARI Action Amended Revoked	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 18, p. 51 V. 19, p. 344 V. 19, p. 344 V. 19, p. 345 V. 19, p. 346 V. 19, p. 346 V. 19, p. 346
28-72-6 28-72-7 28-72-8 28-72-8 28-72-9 28-72-10 28-72-10 28-72-11 28-72-12 28-72-12 28-72-13 28-72-14 28-72-14 28-72-15 28-72-15 28-72-15	New (T)	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1905 V. 18, p. 1905 V. 18, p. 1907 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1909 V. 18, p. 1481 V. 18, p. 1910 V. 18, p. 1482 V. 18, p. 1482 V. 18, p. 1482 V. 18, p. 1911 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1484	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-34 40-4-35 40-4-35 40-4-42 40-4-42b 40-4-42b 40-4-42c 40-4-42c 40-4-42c 40-4-42c 40-4-42c 40-4-42c 40-4-42c 40-4-42c 40-4-42c 40-4-42c 40-4-42c 40-4-42c 40-4-42c 40-4-42c	Amended Revoked Amended Amended Amended Amended Amended Amended Amended New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1885 V. 18, p. 1887	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-11-103 60-11-104 60-11-108 60-11-108 60-11-108	Y 51: DEPARTM RCES—DIVISIO COMPENS. Action Amended INCY 60: BOARI Action Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 19, p. 344 V. 18, p. 52 V. 19, p. 344 V. 19, p. 346 V. 19, p. 346 V. 19, p. 346 V. 19, p. 346 V. 19, p. 358 V. 18, p. 1558 V. 18, p. 1558
28-72-6 28-72-7 28-72-8 28-72-8 28-72-9 28-72-10 28-72-11 28-72-11 28-72-12 28-72-13 28-72-13 28-72-14 28-72-15 28-72-15 28-72-16 28-72-16 28-72-16	New (T)	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1907 V. 18, p. 1480 V. 18, p. 1909 V. 18, p. 1480 V. 18, p. 1909 V. 18, p. 1910 V. 18, p. 1482 V. 18, p. 1482 V. 18, p. 1482 V. 18, p. 1483 V. 18, p. 1483 V. 18, p. 1484 V. 18, p. 1485	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-34 40-4-35 40-4-35 40-4-35 40-4-420	Amended Revoked Amended Amended Amended Amended Amended Amended Amended Mew New New New New New New New New New N	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1885 V. 18, p. 1887	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-11-103 60-11-104 60-11-104 60-11-106 60-11-106 60-11-106 60-16-101 60-16-102 60-16-102	Y 51: DEPARTN RCES—DIVISIO COMPENS. Action Amended NCY 60: BOARI Action Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 19, p. 51 V. 19, p. 344 V. 18, p. 52 V. 19, p. 344 V. 19, p. 345 V. 19, p. 346 V. 19, p. 346 V. 19, p. 346 V. 18, p. 1558
28-72-6 28-72-7 28-72-7 28-72-8 28-72-9 28-72-10 28-72-10 28-72-11 28-72-12 28-72-12 28-72-13 28-72-13 28-72-14 28-72-14 28-72-15 28-72-16 28-72-16 28-72-16 28-72-17	New (T)	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1478 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1909 V. 18, p. 1481 V. 18, p. 1910 V. 18, p. 1482 V. 18, p. 1911 V. 18, p. 1483 V. 18, p. 1484 V. 18, p. 1484 V. 18, p. 1484 V. 18, p. 1485 V. 18, p. 1485 V. 18, p. 1913 V. 18, p. 1485 V. 18, p. 1914	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-34 40-4-35 40-4-35 40-4-42 40-4-42 40-4-42 40-4-42 40-4-42 40-4-42 40-4-42g 40-4-42g AN Reg. No.	Amended Revoked Amended Amended Amended Amended Amended Amended Amended New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1885 V. 18, p. 1887 V. 18, p. 390	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-7-101 60-11-104 60-11-104 60-11-108 60-16-101 60-16-102 60-16-104 60-17-101	Y 51: DEPARTM RCES—DIVISIO COMPENS. Action Amended NCY 60: BOARI Action Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 19, p. 344 V. 18, p. 52 V. 19, p. 344 V. 19, p. 346 V. 19, p. 346 V. 19, p. 346 V. 19, p. 346 V. 19, p. 358 V. 18, p. 1558 V. 18, p. 1558
28-72-6 28-72-7 28-72-8 28-72-8 28-72-9 28-72-10 28-72-10 28-72-11 28-72-12 28-72-12 28-72-13 28-72-14 28-72-14 28-72-15 28-72-16 28-72-16 28-72-16 28-72-17 28-72-17	New (T)	V. 18, p. 1902 V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1904 V. 18, p. 1905 V. 18, p. 1905 V. 18, p. 1907 V. 18, p. 1480 V. 18, p. 1909 V. 18, p. 1909 V. 18, p. 1910 V. 18, p. 1910 V. 18, p. 1912 V. 18, p. 1911 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1913 V. 18, p. 1913 V. 18, p. 1913 V. 18, p. 1484 V. 18, p. 1913 V. 18, p. 1913 V. 18, p. 1913 V. 18, p. 1914 V. 18, p. 1915 V. 18, p. 1915	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-34 40-4-35 40-4-35 40-4-42 40-4-420 40-4-420 40-4-420 40-4-42d 40-4-42g AReg. No. 44-1-103 AGEN	Amended Revoked Amended Amended Amended Amended Amended Amended Amended Mew New New New New New New New New New N	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1885 V. 18, p. 1887 V. 18, p. 390 PAROLE BOARD	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-7-101 60-11-103 60-11-104 60-11-108 60-11-108 60-16-101 60-16-101 60-16-101 60-16-101 60-17-101 through	Y 51: DEPARTN RCES—DIVISIO COMPENS. Action Amended NCY 60: BOARI Action Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 19, p. 344 V. 18, p. 52 V. 19, p. 344 V. 19, p. 346 V. 19, p. 346 V. 19, p. 346 V. 19, p. 346 V. 19, p. 358 V. 18, p. 1558 V. 18, p. 1558
28-72-6 28-72-7 28-72-8 28-72-9 28-72-9 28-72-10 28-72-10 28-72-11 28-72-12 28-72-12 28-72-13 28-72-14 28-72-15 28-72-16 28-72-17 28-72-17 28-72-18 28-72-18	New (T)	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1907 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1909 V. 18, p. 1481 V. 18, p. 1910 V. 18, p. 1482 V. 18, p. 1911 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1484 V. 18, p. 1913 V. 18, p. 1484 V. 18, p. 1484 V. 18, p. 1485 V. 18, p. 1915 V. 18, p. 1486 V. 18, p. 1487	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-34 40-4-35 40-4-35 40-4-35 40-4-420 40-4-420 40-4-420 40-4-420 40-4-42d 40-4-42g AReg. No. 44-1-103 AGEN Reg. No.	Amended Revoked Amended Amended Amended Amended Amended Amended Amended Mew New New New New New New New New New N	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 390 PAROLE BOARD Register	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-11-103 60-11-104a 60-11-108 60-16-101 60-16-102 60-16-101 through 60-17-111	Y 51: DEPARTM RCES—DIVISIA COMPENS. Action Amended NCY 60: BOARI Action Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 19, p. 51 V. 19, p. 344 V. 19, p. 344 V. 19, p. 345 V. 19, p. 346 V. 19, p. 346 V. 19, p. 346 V. 19, p. 346 V. 18, p. 1558 V. 18, p. 1558 V. 19, p. 346-350
28-72-6 28-72-7 28-72-8 28-72-9 28-72-10 28-72-10 28-72-11 28-72-12 28-72-12 28-72-13 28-72-14 28-72-14 28-72-15 28-72-16 28-72-16 28-72-17 28-72-17 28-72-18 28-72-18 28-72-18	New (T)	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1904 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1478 V. 18, p. 1478 V. 18, p. 1478 V. 18, p. 1478 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1481 V. 18, p. 1910 V. 18, p. 1482 V. 18, p. 1911 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1942 V. 18, p. 1942 V. 18, p. 1913 V. 18, p. 1914 V. 18, p. 1915 V. 18, p. 1915 V. 18, p. 1916 V. 18, p. 1916	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-3-45 40-4-35 40-4-35 40-4-42 40-4-42c 40-4-42c 40-4-42c 40-4-42c 40-4-42g AReg. No. 44-1-103 AGEN Reg. No. 45-9-1	Amended Revoked Amended Amended Amended Amended Amended Amended Amended New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1897 PAROLE BOARD Register V. 18, p. 1597	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-11-103 60-11-104a 60-11-108 60-16-101 60-16-102 60-16-101 through 60-17-111	Y 51: DEPARTM RCES—DIVISIA COMPENS. Action Amended NCY 60: BOARI Action Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 19, p. 344 V. 18, p. 52 V. 19, p. 344 V. 19, p. 345 V. 19, p. 346 V. 18, p. 1558 V. 18, p. 1558 V. 18, p. 1558
28-72-6 28-72-7 28-72-7 28-72-8 28-72-8 28-72-9 28-72-10 28-72-10 28-72-11 28-72-12 28-72-13 28-72-13 28-72-14 28-72-15 28-72-16 28-72-17 28-72-17 28-72-18 28-72-18 28-72-18 28-72-18 28-72-18 28-72-18 28-72-18	New (T) New New (T)	V. 18, p. 1902 V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1904 V. 18, p. 1905 V. 18, p. 1905 V. 18, p. 1907 V. 18, p. 1480 V. 18, p. 1909 V. 18, p. 1909 V. 18, p. 1909 V. 18, p. 1910 V. 18, p. 1910 V. 18, p. 1482 V. 18, p. 1912 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1484 V. 18, p. 1913 V. 18, p. 1913 V. 18, p. 1913 V. 18, p. 1913 V. 18, p. 1914 V. 18, p. 1914 V. 18, p. 1915 V. 18, p. 1915 V. 18, p. 1915 V. 18, p. 1916 V. 18, p. 1916 V. 18, p. 1916 V. 18, p. 1916	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-3-49 40-4-35 40-4-35 40-4-42 40-4-42a 40-4-42a 40-4-42a 40-4-42c 40-4-42c 40-4-42f 40-4-42g A Reg. No. 44-1-103 AGEN Reg. No. 45-9-1 45-9-2	Amended Revoked Amended Amended Amended Amended Amended Amended Amended Mew New New New New New New New New New N	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 303 V. 18, p. 183 V. 18, p. 184 V. 18, p. 1883 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1885 V. 18, p. 1886 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1897 V. 18, p. 1990 PAROLE BOARD Register V. 18, p. 1597 V. 18, p. 1597 V. 18, p. 1597 V. 18, p. 1598	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-11-103 60-11-104 60-11-108 60-16-101 60-16-102 60-16-101 through 60-17-111 AGENC 63-4-1	Y 51: DEPARTM RCES—DIVISIO COMPENS. Action Amended NCY 60: BOARI Action Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 19, p. 344 V. 18, p. 52 V. 19, p. 344 V. 19, p. 346 V. 19, p. 346 V. 19, p. 346 V. 19, p. 346 V. 19, p. 358 V. 18, p. 1558 V. 18, p. 1558 V. 18, p. 1558 V. 18, p. 1559 V. 19, p. 346-350 F MORTUARY ARTS V. 18, p. 1650
28-72-6 28-72-7 28-72-7 28-72-8 28-72-9 28-72-10 28-72-10 28-72-11 28-72-12 28-72-12 28-72-13 28-72-14 28-72-14 28-72-15 28-72-16 28-72-17 28-72-17 28-72-18 28-72-18 28-72-18a 28-72-18a 28-72-18a 28-72-18a 28-72-18a	New (T) New (T	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1478 V. 18, p. 1905 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1909 V. 18, p. 1481 V. 18, p. 1910 V. 18, p. 1482 V. 18, p. 1911 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1484 V. 18, p. 1913 V. 18, p. 1484 V. 18, p. 1485 V. 18, p. 1485 V. 18, p. 1914 V. 18, p. 1486 V. 18, p. 1916 V. 18, p. 1487 V. 18, p. 1487 V. 18, p. 1488	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-34 40-4-35 40-4-35 40-4-35 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 AREG. No. 44-1-103 AGEN Reg. No. 45-9-1 45-9-2 45-9-3 45-9-4	Amended Revoked Amended Amended Amended Amended Amended Amended Amended Amended New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 19, p. 303 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 390 PAROLE BOARD Register V. 18, p. 1597 V. 18, p. 1597 V. 18, p. 1598 V. 18, p. 1598 V. 18, p. 1598 V. 18, p. 1598	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-11-103 60-11-104 60-11-108 60-16-101 60-16-102 60-16-101 through 60-17-111 AGENC 63-4-1	Y 51: DEPARTM RCES—DIVISIO COMPENS. Action Amended NCY 60: BOARI Action Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 19, p. 344 V. 19, p. 344 V. 19, p. 344 V. 19, p. 346 V. 19, p. 346 V. 19, p. 346 V. 19, p. 346 V. 19, p. 358 V. 18, p. 1558 V. 18, p. 1558 V. 18, p. 1559 V. 19, p. 346-350 F MORTUARY ARTS V. 18, p. 1650 OF EXAMINERS
28-72-6 28-72-7 28-72-8 28-72-8 28-72-9 28-72-10 28-72-10 28-72-11 28-72-12 28-72-12 28-72-13 28-72-14 28-72-14 28-72-15 28-72-16 28-72-16 28-72-17 28-72-18 28-72-18 28-72-18 28-72-18 28-72-18 28-72-18 28-72-180 28-72-180 28-72-180 28-72-180	New (T) New Ne	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1904 V. 18, p. 1904 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1478 V. 18, p. 1478 V. 18, p. 1478 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1481 V. 18, p. 1910 V. 18, p. 1482 V. 18, p. 1911 V. 18, p. 1482 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1913 V. 18, p. 1914 V. 18, p. 1915 V. 18, p. 1915 V. 18, p. 1916 V. 18, p. 1917	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-35 40-4-35 40-4-35 40-4-42 40-4-42c 40-4-42c 40-4-42c 40-4-42c 40-4-42g AReg. No. 44-1-103 AGEN Reg. No. 45-9-1 45-9-2 45-9-4	Amended Revoked Amended Amended Amended Amended Amended Amended Amended Amended New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1897 V. 18, p. 390 PAROLE BOARD Register V. 18, p. 1597 V. 18, p. 1597 V. 18, p. 1598 V. 18, p. 1598 V. 18, p. 1034 V. 18, p. 1034 V. 18, p. 1034 V. 18, p. 1599	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-11-103 60-11-104 60-11-108 60-16-101 60-16-102 60-16-101 through 60-17-111 AGENC 63-4-1	Y 51: DEPARTM RCES—DIVISIO COMPENS. Action Amended INCY 60: BOARI Action Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 18, p. 51 V. 19, p. 344 V. 19, p. 344 V. 19, p. 346 V. 18, p. 1558 V. 18, p. 1558 V. 18, p. 1558 V. 18, p. 1559 V. 19, p. 346-350 F MORTUARY ARTS V. 18, p. 1650 OF EXAMINERS METRY Register
28-72-6 28-72-7 28-72-8 28-72-8 28-72-9 28-72-10 28-72-10 28-72-11 28-72-12 28-72-12 28-72-13 28-72-13 28-72-14 28-72-15 28-72-16 28-72-16 28-72-17 28-72-18	New (T) New (T	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1907 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1481 V. 18, p. 1910 V. 18, p. 1481 V. 18, p. 1911 V. 18, p. 1482 V. 18, p. 1912 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1484 V. 18, p. 1913 V. 18, p. 1484 V. 18, p. 1913 V. 18, p. 1484 V. 18, p. 1485 V. 18, p. 1914 V. 18, p. 1485 V. 18, p. 1916 V. 18, p. 1916 V. 18, p. 1487 V. 18, p. 1487 V. 18, p. 1916 V. 18, p. 1488 V. 18, p. 1916 V. 18, p. 1488 V. 18, p. 1917 V. 18, p. 1488 V. 18, p. 1917 V. 18, p. 1489 V. 18, p. 1917 V. 18, p. 1489 V. 18, p. 1919	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-35 40-4-35 40-4-35 40-4-42 40-4-42c 40-4-42c 40-4-42c 40-4-42c 40-4-42g AReg. No. 44-1-103 AGEN Reg. No. 45-9-1 45-9-2 45-9-4	Amended Revoked Amended Amended Amended Amended Amended Amended Amended Amended New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 19, p. 303 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1990 PAROLE BOARD Register V. 18, p. 1597 V. 18, p. 1597 V. 18, p. 1598 V. 18, p. 1598 V. 18, p. 1599 IRTMENT OF	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-11-103 60-11-104 60-11-104 60-11-106 60-11-108 60-16-101 60-16-102 60-16-101 40-17-101 1hrough 60-17-111 AGENC 63-4-1 AGEI Reg. No. 65-5-6	Y 51: DEPARTM RCES—DIVISIO COMPENS. Action Amended NCY 60: BOARI Action Amended Revoked Amended Amended Amended New Y 63: BOARD O Amended NCY 65: BOARI IN OPTOL Action Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 18, p. 51 V. 19, p. 344 V. 19, p. 344 V. 19, p. 345 V. 19, p. 346 V. 18, p. 1558 V. 18, p. 1558 V. 18, p. 1558 V. 18, p. 1559 V. 19, p. 346-350 FMORTUARY ARTS V. 18, p. 1650 VOF EXAMINERS METRY Register V. 19, p. 839
28-72-6 28-72-7 28-72-8 28-72-8 28-72-9 28-72-10 28-72-10 28-72-11 28-72-12 28-72-12 28-72-12 28-72-13 28-72-14 28-72-14 28-72-15 28-72-16 28-72-17 28-72-18	New (T) New (T	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1478 V. 18, p. 1905 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1910 V. 18, p. 1481 V. 18, p. 1910 V. 18, p. 1482 V. 18, p. 1911 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1484 V. 18, p. 1913 V. 18, p. 1484 V. 18, p. 1913 V. 18, p. 1485 V. 18, p. 1916 V. 18, p. 1487 V. 18, p. 1487 V. 18, p. 1487 V. 18, p. 1916 V. 18, p. 1488 V. 18, p. 1916 V. 18, p. 1918 V. 18, p. 1489 V. 18, p. 1918 V. 18, p. 1489	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-34 40-4-35 40-4-35 40-4-35 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 ARES NO. 44-1-103 AGEN Reg. No. 45-9-1 45-9-3 45-9-4 45-9-4	Amended Revoked Amended Amended Amended Amended Amended Amended Amended Amended New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1885 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1897 V. 18, p. 390 PAROLE BOARD Register V. 18, p. 1597 V. 18, p. 1597 V. 18, p. 1597 V. 18, p. 1598 V. 18, p. 1598 V. 18, p. 1599 ARTMENT OF OURCES	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-11-103 60-11-104 60-11-108 60-16-101 60-16-102 60-16-101 60-17-101 through 60-17-111 AGENC 63-4-1 AGEI Reg. No. 65-5-6 65-5-10	Y 51: DEPARTM RCES—DIVISIO COMPENS. Action Amended NCY 60: BOARI Action Amended Revoked Amended Amended Amended New Y 63: BOARD O' Amended NCY 65: BOARL IN OPTOI Action Amended Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 18, p. 51 V. 19, p. 344 V. 19, p. 344 V. 19, p. 345 V. 19, p. 346 V. 18, p. 1558 V. 18, p. 1558 V. 18, p. 1559 V. 19, p. 346-350 F MORTUARY ARTS V. 18, p. 1650 OF EXAMINERS METRY Register V. 19, p. 839 V. 18, p. 1727
28-72-6 28-72-7 28-72-8 28-72-8 28-72-9 28-72-10 28-72-10 28-72-11 28-72-12 28-72-12 28-72-13 28-72-14 28-72-14 28-72-15 28-72-16 28-72-16 28-72-16 28-72-18	New New (T)	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1907 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1481 V. 18, p. 1910 V. 18, p. 1481 V. 18, p. 1911 V. 18, p. 1482 V. 18, p. 1912 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1484 V. 18, p. 1913 V. 18, p. 1484 V. 18, p. 1913 V. 18, p. 1484 V. 18, p. 1485 V. 18, p. 1914 V. 18, p. 1485 V. 18, p. 1916 V. 18, p. 1916 V. 18, p. 1487 V. 18, p. 1487 V. 18, p. 1916 V. 18, p. 1488 V. 18, p. 1916 V. 18, p. 1488 V. 18, p. 1917 V. 18, p. 1488 V. 18, p. 1917 V. 18, p. 1489 V. 18, p. 1917 V. 18, p. 1489 V. 18, p. 1919	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-35 40-4-35 40-4-35 40-4-42 40-4-42c 40-4-42c 40-4-42c 40-4-42c 40-4-42g AReg. No. 44-1-103 AGEN Reg. No. 45-9-2 45-9-3 45-9-4 AReg. No.	Amended Revoked Amended Amended Amended Amended Amended Amended Amended Amended New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 19, p. 303 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1990 PAROLE BOARD Register V. 18, p. 1597 V. 18, p. 1597 V. 18, p. 1598 V. 18, p. 1598 V. 18, p. 1599 IRTMENT OF	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-7-101 60-11-103 60-11-104a 60-11-104 60-11-108 60-16-101 60-16-101 60-16-101 60-16-102 60-16-104 60-17-111 AGENC 63-4-1 AGEI Reg. No. 65-5-6 65-5-10 65-9-1	Y 51: DEPARTM RCES—DIVISIO COMPENS. Action Amended NCY 60: BOARI Action Amended Revoked Amended Amended Amended New Y 63: BOARD O Amended NCY 65: BOARI IN OPTOL Action Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 18, p. 51 V. 19, p. 344 V. 19, p. 344 V. 19, p. 345 V. 19, p. 346 V. 18, p. 1558 V. 18, p. 1558 V. 18, p. 1558 V. 18, p. 1559 V. 19, p. 346-350 FMORTUARY ARTS V. 18, p. 1650 VOF EXAMINERS METRY Register V. 19, p. 839
28-72-6 28-72-7 28-72-8 28-72-8 28-72-9 28-72-10 28-72-10 28-72-11 28-72-12 28-72-12 28-72-13 28-72-13 28-72-14 28-72-15 28-72-16 28-72-17 28-72-17 28-72-18	New (T) New (T	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1907 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1909 V. 18, p. 1481 V. 18, p. 1910 V. 18, p. 1482 V. 18, p. 1481 V. 18, p. 1482 V. 18, p. 1912 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1484 V. 18, p. 1913 V. 18, p. 1484 V. 18, p. 1913 V. 18, p. 1484 V. 18, p. 1915 V. 18, p. 1485 V. 18, p. 1916 V. 18, p. 1487 V. 18, p. 1487 V. 18, p. 1916 V. 18, p. 1487 V. 18, p. 1916 V. 18, p. 1488 V. 18, p. 1916 V. 18, p. 1488 V. 18, p. 1917 V. 18, p. 1488 V. 18, p. 1917 V. 18, p. 1489 V. 18, p. 1918 V. 18, p. 1919 V. 18, p. 1490 V. 18, p. 1491	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-35 40-4-35 40-4-35 40-4-42 40-4-42c 40-9-2 45-9-3 45-9-4 Annual Reg. No. 49-45-1	Amended Revoked Amended Amended Amended Amended Amended Amended Amended Amended New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1885 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1897 V. 18, p. 390 PAROLE BOARD Register V. 18, p. 1597 V. 18, p. 1597 V. 18, p. 1597 V. 18, p. 1598 V. 18, p. 1598 V. 18, p. 1599 ARTMENT OF OURCES	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-11-103 60-11-104 60-11-108 60-16-101 60-16-102 60-16-101 60-17-101 through 60-17-111 AGENC 63-4-1 AGEI Reg. No. 65-5-6 65-5-10	Y 51: DEPARTM RCES—DIVISIA COMPENS. Action Amended NCY 60: BOARI Action Amended Revoked Amended Amended Amended New Y 63: BOARD O Amended NCY 65: BOARI IN OPTO Action Amended Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 19, p. 344 V. 19, p. 344 V. 19, p. 344 V. 19, p. 346 V. 19, p. 358 V. 18, p. 1558 V. 18, p. 1558 V. 18, p. 1559 V. 19, p. 346-350 F MORTUARY ARTS V. 18, p. 1650 MOF EXAMINERS METRY Register V. 19, p. 839 V. 18, p. 1727 V. 18, p. 357
28-72-6 28-72-7 28-72-7 28-72-8 28-72-9 28-72-9 28-72-10 28-72-10 28-72-11 28-72-12 28-72-12 28-72-13 28-72-14 28-72-14 28-72-15 28-72-16 28-72-16 28-72-17 28-72-18	New (T) New (T	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1478 V. 18, p. 1905 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1910 V. 18, p. 1481 V. 18, p. 1911 V. 18, p. 1482 V. 18, p. 1912 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1484 V. 18, p. 1913 V. 18, p. 1485 V. 18, p. 1915 V. 18, p. 1486 V. 18, p. 1916 V. 18, p. 1487 V. 18, p. 1916 V. 18, p. 1487 V. 18, p. 1916 V. 18, p. 1487 V. 18, p. 1916 V. 18, p. 1488 V. 18, p. 1916 V. 18, p. 1488 V. 18, p. 1917 V. 18, p. 1488 V. 18, p. 1916 V. 18, p. 1489 V. 18, p. 1490 V. 18, p. 1491	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-35 40-4-35 40-4-35 40-4-42 40-4-42c 40-4-42c 40-4-42c 40-4-42c 40-4-42g AReg. No. 44-1-103 AGEN Reg. No. 45-9-2 45-9-3 45-9-4 AReg. No.	Amended Revoked Amended Amended Amended Amended Amended Amended Amended Amended New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1886 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1990 PAROLE BOARD Register V. 18, p. 1597 V. 18, p. 1597 V. 18, p. 1598 V. 18, p. 1599 V. 19, p. 504	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-11-103 60-11-104 60-11-104 60-11-105 60-16-101 60-16-102 60-16-104 60-17-101 AGENC 63-4-1 AGENC 65-5-6 65-5-10 65-9-1 65-10-2 65-11-3	Y 51: DEPARTM RCES—DIVISIO COMPENS. Action Amended NCY 60: BOARI Action Amended New Y 63: BOARD O Amended NCY 65: BOARE IN OPTO Action Amended NCY 66: BOARI	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 18, p. 51 V. 19, p. 344 V. 19, p. 344 V. 19, p. 346 V. 18, p. 1558 V. 18, p. 1558 V. 18, p. 1558 V. 18, p. 1559 V. 19, p. 346-350 FMORTUARY ARTS V. 18, p. 1650 OF EXAMINERS METRY Register V. 19, p. 839 V. 18, p. 357
28-72-6 28-72-7 28-72-8 28-72-8 28-72-9 28-72-10 28-72-10 28-72-11 28-72-12 28-72-12 28-72-13 28-72-14 28-72-14 28-72-15 28-72-16 28-72-16 28-72-16 28-72-17 28-72-18	New New (T)	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1907 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1909 V. 18, p. 1481 V. 18, p. 1910 V. 18, p. 1482 V. 18, p. 1481 V. 18, p. 1482 V. 18, p. 1912 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1484 V. 18, p. 1913 V. 18, p. 1484 V. 18, p. 1913 V. 18, p. 1484 V. 18, p. 1915 V. 18, p. 1485 V. 18, p. 1916 V. 18, p. 1487 V. 18, p. 1487 V. 18, p. 1916 V. 18, p. 1487 V. 18, p. 1916 V. 18, p. 1488 V. 18, p. 1916 V. 18, p. 1488 V. 18, p. 1917 V. 18, p. 1488 V. 18, p. 1917 V. 18, p. 1489 V. 18, p. 1918 V. 18, p. 1919 V. 18, p. 1490 V. 18, p. 1491	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-35 40-4-35 40-4-35 40-4-35 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 AReg. No. 44-1-103 AGEN Reg. No. 45-9-1 45-9-2 45-9-4 AReg. No. 49-45-1 1 through 49-45-4 49-45-4a	Amended Revoked Amended Amended Amended Amended Amended Amended Amended Amended Amended New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 303 V. 18, p. 189 V. 18, p. 358 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1885 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1897 V. 18, p. 390 PAROLE BOARD Register V. 18, p. 1597 V. 18, p. 1597 V. 18, p. 1597 V. 18, p. 1598 V. 18, p. 1598 V. 18, p. 1599 ARTMENT OF OURCES Register	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-11-103 60-11-104 60-11-104 60-11-105 60-16-101 60-16-102 60-16-104 60-17-101 AGENC 63-4-1 AGENC 65-5-6 65-5-10 65-9-1 65-10-2 65-11-3	Y 51: DEPARTM RCES—DIVISIO COMPENS. Action Amended NCY 60: BOARI Action Amended Revoked Amended Amended Amended Amended New Y 63: BOARD O Amended NCY 65: BOARE IN OPTO Action Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 18, p. 51 V. 19, p. 344 V. 19, p. 344 V. 19, p. 346 V. 18, p. 1558 V. 18, p. 1559 OF EXAMINERS METRY Register V. 19, p. 839 V. 18, p. 1727 V. 18, p. 357
28-72-6 28-72-7 28-72-7 28-72-8 28-72-9 28-72-10 28-72-10 28-72-11 28-72-12 28-72-12 28-72-13 28-72-13 28-72-14 28-72-15 28-72-15 28-72-16 28-72-17 28-72-18	New (T) New (T	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1907 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1909 V. 18, p. 1481 V. 18, p. 1910 V. 18, p. 1482 V. 18, p. 1911 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1913 V. 18, p. 1913 V. 18, p. 1484 V. 18, p. 1913 V. 18, p. 1484 V. 18, p. 1915 V. 18, p. 1485 V. 18, p. 1916 V. 18, p. 1487 V. 18, p. 1916 V. 18, p. 1487 V. 18, p. 1916 V. 18, p. 1487 V. 18, p. 1916 V. 18, p. 1917 V. 18, p. 1488 V. 18, p. 1917 V. 18, p. 1489 V. 18, p. 1919 V. 18, p. 1920	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-35 40-4-35 40-4-35 40-4-42 40-4-42c 40-5-9-4 40-4-5-1 1hrough 49-45-4 49-45-4 49-45-5	Amended Revoked Amended Amended Amended Amended Amended Amended Amended Amended New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1886 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1990 PAROLE BOARD Register V. 18, p. 1597 V. 18, p. 1597 V. 18, p. 1598 V. 18, p. 1599 V. 19, p. 504	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-11-103 60-11-104 60-11-104 60-11-105 60-16-101 60-16-102 60-16-104 60-17-101 AGENC 63-4-1 AGE Reg. No. 65-5-6 65-5-10 65-9-1 65-10-2 65-11-3 AGE Reg. No.	Y 51: DEPARTM RCES—DIVISIO COMPENS. Action Amended NCY 60: BOARI Action Amended New Y 63: BOARD O Amended NCY 65: BOARI IN OPTOI Action Amended NCY 66: BOARI PROFES: Action	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 18, p. 51 V. 19, p. 344 V. 19, p. 344 V. 19, p. 346 V. 19, p. 1558 V. 18, p. 1558 V. 18, p. 1559 V. 19, p. 346-350 FMORTUARY ARTS V. 18, p. 1650 OF EXAMINERS METRY Register V. 19, p. 839 V. 18, p. 1727 V. 18, p. 357
28-72-6 28-72-7 28-72-7 28-72-8 28-72-9 28-72-9 28-72-10 28-72-10 28-72-11 28-72-12 28-72-12 28-72-13 28-72-14 28-72-14 28-72-15 28-72-16 28-72-16 28-72-16 28-72-18 28-72-19 28-72-20 28-72-21	New (T)	V. 18, p. 1902 V. 18, p. 1904 V. 18, p. 1904 V. 18, p. 1904 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1478 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1481 V. 18, p. 1910 V. 18, p. 1482 V. 18, p. 1911 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1913 V. 18, p. 1914 V. 18, p. 1915 V. 18, p. 1916 V. 18, p. 1916 V. 18, p. 1487 V. 18, p. 1487 V. 18, p. 1487 V. 18, p. 1488 V. 18, p. 1916 V. 18, p. 1488 V. 18, p. 1917 V. 18, p. 1488 V. 18, p. 1919 V. 18, p. 1489 V. 18, p. 1490 V. 18, p. 1920 V. 18, p. 1491	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-4-35 40-4-35 40-4-35 40-4-35 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 AReg. No. 44-1-103 AGEN Reg. No. 45-9-1 45-9-2 45-9-4 AReg. No. 49-45-1 1 through 49-45-4 49-45-4a	Amended Revoked Amended Amended Amended Amended Amended Amended Amended Amended New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 124 V. 18, p. 358 V. 19, p. 1853 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1886 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1990 PAROLE BOARD Register V. 18, p. 1597 V. 18, p. 1597 V. 18, p. 1598 V. 18, p. 1599 V. 19, p. 504	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-11-103 60-11-104 60-11-108 60-16-101 60-16-102 60-16-101 40-17-101 through 60-17-111 AGENC 63-4-1 AGEI Reg. No. 65-5-6 65-5-10 65-9-1 65-10-2 65-11-3 AGE Reg. No. 66-6-4	Y 51: DEPARTM RCES—DIVISIO COMPENS. Action Amended INCY 60: BOARI Action Amended New Y 63: BOARD O Amended IN OPTOI Action Amended NCY 66: BOARI PROFES: Action Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 18, p. 51 V. 19, p. 344 V. 19, p. 344 V. 19, p. 346 V. 18, p. 1558 V. 18, p. 1558 V. 18, p. 1559 V. 19, p. 346-350 FMORTUARY ARTS V. 18, p. 1650 MOF EXAMINERS METRY Register V. 19, p. 839 V. 18, p. 1727 V. 18, p. 357
28-72-6 28-72-7 28-72-7 28-72-8 28-72-9 28-72-10 28-72-10 28-72-11 28-72-12 28-72-12 28-72-13 28-72-13 28-72-14 28-72-15 28-72-16 28-72-17 28-72-17 28-72-18 28-72-19 28-72-20 28-72-21 28-72-21	New (T) New (T	V. 18, p. 1902 V. 18, p. 1475 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1907 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1909 V. 18, p. 1481 V. 18, p. 1910 V. 18, p. 1482 V. 18, p. 1911 V. 18, p. 1483 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1913 V. 18, p. 1913 V. 18, p. 1484 V. 18, p. 1913 V. 18, p. 1484 V. 18, p. 1915 V. 18, p. 1485 V. 18, p. 1916 V. 18, p. 1487 V. 18, p. 1916 V. 18, p. 1487 V. 18, p. 1916 V. 18, p. 1487 V. 18, p. 1916 V. 18, p. 1917 V. 18, p. 1488 V. 18, p. 1917 V. 18, p. 1489 V. 18, p. 1919 V. 18, p. 1920	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-3-45 40-4-35 40-4-35 40-4-35 40-4-42 40-4-42 40-4-42 40-4-42 40-4-42 40-4-42 8 Reg. No. 44-1-103 AGEN Reg. No. 44-1-103 AGEN Reg. No. 45-9-1 45-9-2 45-9-3 45-9-4 AR Reg. No. 49-45-1 through 49-45-4 49-45-5 through 49-45-5 through 49-45-9 49-45-9	Amended Revoked Amended Amended Amended Amended Amended Amended Amended Amended New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 1853 V. 18, p. 1853 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1885 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1897 V. 18, p. 1997 V. 18, p. 1997 V. 18, p. 1597 V. 18, p. 1597 V. 18, p. 1598 V. 18, p. 1599 V. 19, p. 504 V. 19, p. 504 V. 19, p. 504	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-7-101 60-11-103 60-11-104 60-11-108 60-16-101 60-16-102 60-16-104 60-17-101 through 60-17-111 AGENC 63-4-1 AGE Reg. No. 65-5-6 65-5-10 65-9-1 65-10-2 65-11-3 AGE Reg. No. 66-6-4 66-6-6	Y 51: DEPARTM RCES—DIVISIA COMPENS. Action Amended NCY 60: BOARI Action Amended New Y 63: BOARD O Amended NCY 65: BOARI IN OPTO Action Amended NCY 66: BOARI PROFES Action Amended Amended Amended Amended NCY 66: BOARI PROFES Action Amended Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 18, p. 51 V. 19, p. 344 V. 19, p. 344 V. 19, p. 346 V. 19, p. 1558 V. 18, p. 1558 V. 18, p. 1559 V. 19, p. 346-350 FMORTUARY ARTS V. 18, p. 1650 OF EXAMINERS METRY Register V. 19, p. 839 V. 18, p. 1727 V. 18, p. 357
28-72-6 28-72-7 28-72-7 28-72-8 28-72-9 28-72-9 28-72-10 28-72-10 28-72-11 28-72-12 28-72-12 28-72-13 28-72-14 28-72-14 28-72-15 28-72-16 28-72-16 28-72-16 28-72-18 28-72-19 28-72-20 28-72-21	New (T)	V. 18, p. 1902 V. 18, p. 1904 V. 18, p. 1904 V. 18, p. 1904 V. 18, p. 1476 V. 18, p. 1476 V. 18, p. 1478 V. 18, p. 1905 V. 18, p. 1478 V. 18, p. 1480 V. 18, p. 1480 V. 18, p. 1481 V. 18, p. 1910 V. 18, p. 1482 V. 18, p. 1911 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1912 V. 18, p. 1913 V. 18, p. 1914 V. 18, p. 1915 V. 18, p. 1916 V. 18, p. 1916 V. 18, p. 1487 V. 18, p. 1487 V. 18, p. 1487 V. 18, p. 1488 V. 18, p. 1916 V. 18, p. 1488 V. 18, p. 1917 V. 18, p. 1488 V. 18, p. 1919 V. 18, p. 1489 V. 18, p. 1490 V. 18, p. 1920 V. 18, p. 1491	40-3-26 40-3-27 40-3-32 40-3-33 40-3-45 40-3-45 40-4-35 40-4-35 40-4-35 40-4-35 40-4-420 40-4-420 40-4-420 40-4-420 40-4-420 AReg. No. 44-1-103 AGEN Reg. No. 45-9-1 45-9-2 45-9-3 45-9-4 45-9-4 AReg. No. 49-45-1 through 49-45-5 through 49-45-9 49-45-9 49-45-9 49-45-9 49-45-9	Amended Revoked Amended Amended Amended Amended Amended Amended Amended Amended New	V. 19, p. 303 V. 19, p. 680 V. 19, p. 680 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 1016 V. 19, p. 303 V. 18, p. 1853 V. 18, p. 1853 V. 18, p. 1883 V. 18, p. 1884 V. 18, p. 1884 V. 18, p. 1885 V. 18, p. 1885 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1887 V. 18, p. 1897 V. 18, p. 1997 V. 18, p. 1997 V. 18, p. 1597 V. 18, p. 1597 V. 18, p. 1598 V. 18, p. 1599 V. 19, p. 504 V. 19, p. 504 V. 19, p. 504	49-54-3 AGENC RESOU Reg. No. 51-9-7 AGE Reg. No. 60-3-101 60-3-106 60-6-101 60-11-103 60-11-104 60-11-108 60-16-101 60-16-102 60-16-101 40-17-101 through 60-17-111 AGENC 63-4-1 AGEI Reg. No. 65-5-6 65-5-10 65-9-1 65-10-2 65-11-3 AGE Reg. No. 66-6-4	Y 51: DEPARTM RCES—DIVISIO COMPENS. Action Amended INCY 60: BOARI Action Amended New Y 63: BOARD O Amended IN OPTOI Action Amended NCY 66: BOARI PROFES: Action Amended	MENT OF HUMAN ON OF WORKERS ATION Register V. 18, p. 1170 D OF NURSING Register V. 18, p. 51 V. 19, p. 344 V. 18, p. 52 V. 19, p. 344 V. 19, p. 346 V. 18, p. 1558 V. 18, p. 1558 V. 18, p. 1558 V. 18, p. 1559 V. 19, p. 346-350 F MORTUARY ARTS V. 18, p. 1650 MOF EXAMINERS METRY Register V. 19, p. 839 V. 18, p. 357 V. 19, p. 69 V. 19, p. 69 V. 19, p. 69 V. 19, p. 69 V. 19, p. 70

66-9-4		ar 1947 - Albi						
66-9-4	Amended New	· · · · · · · · · · · · · · · · · · ·	74-5-406		V. 18, p. 1240	80-55-1		
66-10-12		V. 19, p. 71	74-6-1	Amended	V. 19, p. 1795	through		
66-10-13		V. 19, p. 71 V. 19, p. 71	74-6-2	Amended	V. 19, p. 1795	80-55-4	Revoked	V. 18, p. 1237
66-11-4	New	V. 19, p. 72	74-7-2	Amended	V. 19, p. 1795	80-55-8	Amended	V. 18, p. 1237
66-12-1	Amended	V. 19, p. 72	74-11-6	Amended	V. 19, p. 1796	AC	ENCV 82. STAT	E CORPORATION
66-14-1	Amended		74-12-1 74-15-1	Amended	V. 19, p. 1796		COMM	ISSION
66-14-6	Amended	V. 19, p. 72	74-15-2	New	V. 19, p. 1797	Pag No		
AC	SENCY 67- BO	ARD OF HEARING	and the second	New	V. 19, p. 1797	Reg. No	for the second section is	Register
***	AID FY	AMINERS	AGENC	Y 75: STATE BAN	KING DEPARTMENT	82-1-221		V. 18, p. 231
Reg. No.			Reg. No.		Register	82-1-221		V. 18, p. 232
		Register	75-6-2	Revoked		82-1-228		V. 18, p. 232
67-2-4	Amended		75-6-6		V. 19, p. 1082	82-1-235		V. 18, p. 233
67-3-2	Amended	V. 19, p. 626	75-6-24	Revoked	V. 19, p. 1082	82-3-101 82-3-401		V. 18, p. 273
67-4-7	Amended	V. 19, p. 626	75-6-26	Revoked	V. 19, p. 1082			V. 18, p. 276
67-4-10 67-4-13	Amended	V. 19, p. 626	75-6-30	Amended New	V. 19, p. 1082	82-3-408 82-3-900		V. 18, p. 276
67-5-3	New	V. 19, p. 626	75-6-31	New	V. 19, p. 1082	through		
67-5-4	Amended Amended	V. 19, p. 626			V. 19, p. 1083	82-3-908		V 10 - 27/ 077
67-6-4	Amended	V. 19, p. 626	AGENO	CY 80: KANSAS P	UBLIC EMPLOYEES	82-4-1	Amended	V. 18, p. 276, 277
67-7-4	Amended	V. 19, p. 626	and the second of the second	RETIREMENT	SYSTEM	82-4-3	Amended (T	V. 19, p. 1158
**	Transport Control of the Control of	V. 19, p. 627	Reg. No.	Action	Register	82-4-3	Amended	V. 19, p. 575 V. 19, p. 1159
AGI	ENCY 68: BOA	RD OF PHARMACY	80-1-1	Amended		82-4-6d	Amended	V. 19, p. 1083
Reg. No.	Action	Register	80-1-2	Amended	V. 18, p. 1230	82-4-8a	Amended	V. 19, p. 1084
68-2-12a	Amended	V. 18, p. 1813	80-1-3	Amended	V. 18, p. 1230	82-4-8h	New	V. 19, p. 1085
68-2-20	Amended	V. 18, p. 1813	80-1-4	Revoked	V. 18, p. 1230 V. 18, p. 1230	82-4-20	Amended	V. 19, p. 1085
68-2-22	Amended	V. 18, p. 1814	80-1-5	Amended	V. 18, p. 1230 V. 18, p. 1230	82-4-23	Amended	V. 19, p. 1085
68-3-5	New	V. 18, p. 1309	80-1-6	Amended	V. 18, p. 1230 V. 18, p. 1231	82-4-24a	Amended	V. 19, p. 1085
68-3-6	New	V. 18, p. 1309	80-1-9	Amended	V. 18, p. 1231	82-4-27c	Amended	V. 19, p. 1085
68-5-1	Amended	V. 19, p. 501	80-1-10	Amended	V. 18, p. 1231	82-4-27e	Amended	V. 19, p. 1086
68-5-15	New	V. 18, p. 993	80-1-11	Amended	V. 18, p. 1231	82-4-27f	Revoked	V. 19, p. 1087
68-7-11	Amended	V. 19, p. 501	80-1-12	Revoked	V. 18, p. 1231	82-4-27g	Amended	V. 19, p. 1087
68-7-12	Amended	V. 18, p. 1815	80-2-1	Amended	V. 18, p. 1231	82-4-30a	Amended	V. 19, p. 1087
68-7-14	Amended	V. 19, p. 502	80-3-1	Revoked	V. 18, p. 1232	82-4-31	Amended	V. 19, p. 1087
68-7-18	Amended	V. 19, p. 503	80-3-2	Revoked	V. 18, p. 1232	82-4-32	Amended	V, 19, p. 1087
68-7-19 68-11-1	Amended	V. 18, p. 994	80-3-4	Amended	V. 18, p. 1232	82-4-33	Amended	V. 19, p. 1087
68-14-1	Amended	V. 18, p. 81	80-3-5	Revoked	V. 18, p. 1232	82-4-35a	Amended	V. 19, p. 1088
68-14-2	Amended	V. 18, p. 1019	80-3-6	Revoked	V. 18, p. 1232	82-4-37	Amended	V. 19, p. 1088
through			80-3-8	Revoked	V. 18, p. 1232	82-4-42 82-4-57	Amended	V. 19, p. 1088
68-14-5	Amended	V. 18, p. 996, 997	80-3-9	Amended	V. 18, p. 1232	82-11-3	Amended	V. 19, p. 1088
68-14-7	Amended	V. 18, p. 997 V. 18, p. 997	80-3-13	Revoked	V. 18, p. 1232	82-11-4	Amended	V. 18, p. 234
68-14-8	Amended	V. 19, p. 1830	80-3-15	Amended	V. 18, p. 1232	82-11-9	Amended Amended	V. 18, p. 234
68-15-1	New	V. 18, p. 998	80-3-16	Amended	V. 18, p. 1232	82-11-10	Amended	V. 18, p. 238
68-15-2	New	V. 18, p. 1309	80-4-1	Amended	V. 18, p. 1233	82-11-11	New	V. 18, p. 239 V. 18, p. 239
68-15-4	New	V. 18, p. 1309	80-4-2	Revoked	V. 18, p. 1233	82-12-2	Amended	
68-20-10	Amended	V. 18, p. 1816	80-4-3	Revoked	V. 18, p. 1233	A CONTRACT OF THE PARTY OF THE	and the second of the second	V: 18, p. 239
68-20-10a	Amended	V. 18, p. 1819	80-4-4	Amended	V. 18, p. 1233	AGENC	Y 86: REAL EST	ATE COMMISSION
68-20-15a	Amended	V. 18, p. 1819	80-4-5	Revoked	V. 18, p. 1233	Reg. No.	Action	Register
68-20-16	Amended	V. 18, p. 1820	80-4-6	Revoked	V. 18, p. 1233	86-1-11	Amended	V. 18, p. 1291
68-20-17	Amended	V. 18, p. 1820	80-5-1	Amended	V. 18, p. 1233			
68-20-18	Amended	V. 18, p. 1820	80-5-2	Revoked	V. 18, p. 1233		ENCY 88: BOAR	D OF REGENTS
68-20-19	Amended	V. 18, p. 1821	80-5-3	Revoked	V. 18, p. 1233	Reg. No.	Action	Register
68-20-20	Amended	V. 19, p. 1190	80-5-6	Amended	V. 18, p. 1233	88-23-1		하고 말하는 하십니요. 11일었다
68-20-21	Amended	V. 18, p. 1822	80-5-7 80-5-9	Revoked	V. 18, p. 1234	through		
AGEN	CY 71: KANSA	S DENTAL BOARD	80-5-10	Amended	V. 18, p. 1234	88-23-6	New	V. 19, p. 41-43
Reg. No.	Action	Register	80-5-10	Amended Amended	V. 18, p. 1234	ACENCY	OI DEDARTME	NT OF EDUCATION
71-1-18	Amended		80-5-12	Revoked	V. 18, p. 1234	Page No.		
71-1-20	New	V. 18, p. 1844 V. 19, p. 573	80-5-13	Amended	V. 18, p. 1234 V. 18, p. 1234	Reg. No.	Action	Register
71-1-21	New	V. 19, p. 573	80-5-14	Revoked	V. 18, p. 1234 V. 18, p. 1234	91-1-26	Revoked	V. 19, p. 1435
71-3-7	New	V. 18, p. 104	80-5-15	Amended	V. 18, p. 1234 V. 18, p. 1234	91-1-27	Revoked	V. 19, p. 1435
71-3-8	New	V. 19, p. 1336	80-5-16	Amended	V. 18, p. 1235	91-1-27a		
71-6-1			80-5-18	Amended	V. 18, p. 1235	through 91-1-27d	Davialead	والمناف الأساب والماسو
through			80-7-1	Amended	V. 18, p. 1235	91-1-270	Revoked Revoked	V. 19, p. 1435
71-6-6	New	V. 18, p. 104, 105	80-8-2	Amended	V. 18, p. 1236	91-1-30	Revoked	V. 19, p. 1435
AGENC	Y 74: BOARD	OF ACCOUNTANCY	80-8-7	Amended	V. 18, p. 1236	91-1-30a	Revoked	V. 19, p. 1435
			80-50-1	Revoked	V. 18, p. 1236	91-1-31	nevokeu	V. 19, p. 1435
Reg. No.	Action	Register	80-50-2	Amended	V. 18, p. 1236	through		
74-1-2	Amended	V. 19, p. 1791	80-50-3	Amended	V. 18, p. 1236	91-1-35	Revoked	V 10 = 1425
74-1-7	New	V. 19, p. 1792	80-50-4	Revoked	V. 18, p. 1236	91-1-37	Revoked	V. 19, p. 1435 V. 19, p. 1435
74-2-1	Amended	V. 19, p. 1792	80-50-5	Revoked	V. 18, p. 1236	91-1-39		*. 15, p. 1433
74-2-3 74-2-4	Amended	V. 19, p. 1792	80-50-6	Amended	V. 18, p. 1236	through		
74-3-8	Amended	V. 19, p. 1792	80-50-8	Revoked	V. 18, p. 1237	91-1-58	Revoked .	V. 19, p. 1435, 1436
74-3-6 74-4-1	Amended Revoked	V. 19, p. 1792	80-51-1	Revoked	V. 18, p. 1237	91-1-60	Revoked	V. 19, p. 1436
74-4-1a	New New	V. 19, p. 1792	80-51-2	Revoked	V. 18, p. 1237	91-1-61	Revoked	V. 19, p. 680
74-4-2a	New	V. 19, p. 1792 V. 19, p. 1792	80-51-3	Revoked	V. 18, p. 1237	91-1-63	Revoked	V. 19, p. 1436
74-4-3a	New		80-51-4	Amended	V. 18, p. 1237	91-1-65	Revoked	V. 19, p. 1436
74-4-4	Amended	V. 19, p. 1793 V. 19, p. 1793	80-51-5	Revoked	V. 18, p. 1237	91-1-67	Revoked	V. 19, p. 1436
74-4-7	Amended	V. 19, p. 1793 V. 19, p. 1793	80-51-7 80-52-1	Revoked	V. 18, p. 1237	91-1-68a		수 있는 사람들은 경우를 받는다.
74-4-10	Amended	V. 19, p. 1793 V. 19, p. 1793	80-52-1 80-52-2	Revoked	V. 18, p. 1237	through		
74-5-2	Amended	V. 19, p. 1793 V. 19, p. 1793	80-52-2 80-52-3	Revoked	V. 18, p. 1237	91-1-68e	Amended	V. 19, p. 1588-1592
74-5-103	Amended	V. 18, p. 1238	80-52-3 80-53-2	Revoked	V. 18, p. 1237	91-1-70	Revoked	V. 19, p. 1436
74-5-104	Amended	V. 18, p. 1238	through			91-1-70b	Revoked	V. 19, p. 1593
74-5-202	Amended	V. 19, p. 1794	80-53-6	Revoked	V 10 1000	91-1-71		
74-5-203	Amended	V. 19, p. 1794	80-54-1		V. 18, p. 1237	through	David.	n fig. 1992 and in fig.
74-5-205	New	V. 19, p. 1795	through	* 2		91-1-83	Revoked	V. 19, p. 1436, 1437
74-5-405	Amended	V. 19, p. 1795	80-54-4	Revoked	V 18 n 1997	91-1-84a	Revoked	V. 19, p. 1437
					V. 18, p. 1237	No. of Page 1	the state of the say	(continued)
		the control of the c		5	the state of the s		and the second s	and the second of the second o

		· / · /		一 と かいごえもく				
			01 22 10			102-2-5	Amended	V. 19, p. 1196
91-1-85			91-22-10		Îtaria (n. 1866)	102-2-7	Amended	V. 19, p. 1196
through		77 40 2 1407	through 91-22-18	Revoked	V. 19, p. 684	102-2-8	Amended	V. 19, p. 1198
91-1-91	Revoked	V. 19, p. 1437	91-22-19	Amended	V. 19, p. 684	102-2-11	Amended	V. 19, p. 1200
91-1-91a	Revoked	V. 19, p. 1437		Revoked	V. 19, p. 684	102-2-12	Amended	V. 19, p. 1201
91-1-92	Revoked	V. 19, p. 1437	91-22-21	Amended	V. 19, p. 684	102-2-13	New	V. 19, p. 1202
91-1-93a	Revokęd	V. 19, p. 1437	91-22-22	Revoked	V. 19, p. 684	102-2-14	New	V. 19, p. 1202
91-1-101a	Revoked	V. 19, p. 1437	91-22-23	Revoked	V. 19, p. 684	102-3-1a	Amended	V. 19, p. 1202
91-1-101b	Revoked	V. 19, p. 1437	91-22-24		V. 19, p. 684	102-3-2	Amended	V. 19, p. 1204
91-1-102a	Revoked	V. 19, p. 1437	91-22-25	Amended	V. 19, p. 685	102-3-5a	Amended	V. 19, p. 1205
91-1-104b	Revoked	V. 19, p. 1437	91-22-26	Revoked	V. 18, p. 1171	102-3-7a	Amended	V. 19, p. 1206
91-1-104c	Revoked	V. 19, p. 1437	91-31-16	Amended	V. 18, p. 1172	102-3-14	New	V. 19, p. 1207
91-1-105	Revoked	V. 19, p. 1437	91-31-18	Amended	V. 18, p. 1309	102-3-15	New	V. 19, p. 1207
91-1-106	Revoked	V. 19, p. 1437	91-31-19	Amended	V. 18, p. 1173	102-4-1a	Amended	V. 19, p. 1208
91-1-106a			91-31-24	Amended	V. 10, p. 11, c	102-4-2	Amended	V. 19, p. 1209
through			91-38-1	영화를 기계하다		102-4-4a	Amended	V. 19, p. 1209
91-1-106m	Revoked	V. 19, p. 1437, 1438	through	Manue	V. 18, p. 1823-1828	102-4-5a	Amended	V. 19, p. 1211
91-1-107a	Revoked	V, 19, p. 1438	91-38-10	New	v. 10, p. 1020 1020	102-4-7a	Amended	V. 19, p. 1211
91-1-108a	Revoked	• V. 19, p. 1438	91-40-1	J. M. J. B. W. S.		102-4-10a	Amended (T)	V. 18, p. 1035
91-1-108b	Revoked	V. 19, p. 1438	through	NTarre	V. 19, p. 685-691	102-4-10a	Amended	V. 18, p. 1556
91-1-108c	Revoked	V. 19, p. 1438	91-40-5	New	1. 15, p. 000 051	102-4-14	New	V. 19, p. 1212
91-1-109a	Revoked	V. 19, p. 1438	91-40-7				New	V. 19, p. 1213
91-1-110a	Revoked	V. 19, p. 1438	through	Many	V. 19, p. 692-695	102-5-1	Amended	V. 19, p. 1213
91-1-110c	Revoked	V. 19, p. 1438	91-40-12	New	V. 19, p. 092 090	102-5-2	Amended	V. 19, p. 1214
91-1-111a	Revoked	V. 19, p. 1438	91-40-16	· .	and the Alexander of the control of	102-5-4a	Amended	V. 19, p. 1215
91-1-112c	Revoked	V. 19, p. 1438	through	NT	V. 19, p. 695-697	102-545	Amended	V. 19, p. 1216
91-1-112d	Revoked	V. 19, p. 1438	91-40-19	New	V. 19, p. 697	102-5-7a	Amended	V. 19, p. 1216
91-1-113b	Revoked	V. 19, p. 1438	91-40-21	New	V. 19, p. 697	102-5-13	New	V. 19, p. 1218
91-1-114a	Revoked	V. 19, p. 1438	91-40-22	New	v. 19, p. 037	102-5-14	New	V. 19, p. 1218
91-1-115a	Revoked	V. 19, p. 1438	91-40-24				1 15 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	INIDICENTES!
91-1-117a	Revoked	V. 19, p. 1438	through		V. 19, p. 698-700	AGENO	Y 105: BOARD OF	INDIGENIO
91-1-117a	Revoked	V. 19, p. 1438	91-40-31	New	V. 13, p. 030-700		DEFENSE SERV	
	Kevokeu		91-40-33			Reg. No.	Action	Register
91-1-119a			through		V. 19, p. 700-702	105-1-1	Amended	V. 18, p. 1141
through	Revoked	V. 19, p. 1438, 1439	91-40-39	New	v. 19, p. 700-702	105-2-1	Amended	V. 18, p. 1142
91-1-119g	Revoked	V. 19, p. 1439	91-40-41			105-3-1	Amended	v. 18, p. 1142
91-1-120		V. 19, p. 1439	through		¥ 10 m 700 704	105-3-2	Amended	V. 18, p. 1142
91-1-121	Revoked	V. 19, p. 1439	91-40-48	New	V. 19, p. 702-704	105-3-4	Revoked	V. 18, p. 1143
91-1-122	Revoked	V. 19, p. 1439	91-40-50	Control of the second		105-3-5	Amended	V. 18, p. 1143
91-1-123a	Revoked		through		17 10 - 70E 704	105-3-8	Revoked	V. 18, p. 1143
91-1-125	Revoked	V. 19, p. 1439	91-40-53	New	V. 19, p. 705, 706	105-3-9	Amended	V. 18, p. 1143
91-1-127a	Revoked	V. 19, p. 1439	Δſ	GENCY 99: DEP	ARTMENT OF		Amended	V. 18, p. 1144
91-1-128b	Revoked	V. 19, p. 1439	Δ.	GRICULTURE-	DIVISION OF	105-3-11	Amended	V. 18, p. 1144
91-1-129a	Revoked	V. 19, p. 1439		WEIGHTS AND	MEASURES	105-3-12	Amended	V. 18, p. 1144
91-1-130	Revoked	V. 19, p. 1439				105-5-2	Amended	V. 18; p. 1144
91-1-131	Revoked	V. 19, p. 1439	Reg. No.	Action	Register	105-5-3		V. 18, p. 1144
91-1-132a	Revoked	V. 19, p. 1439	99-25-1	Amended	V. 18, p. 189	105-5-6	Amended	V. 18, p. 1145
91-1-135a	Revoked	V. 19, p. 1439	99-26-1	Amended	V. 19, p. 840	105-5-7	Amended	V. 18, p. 1145
91-1-137a	Revoked	V. 19, p. 1439	99-27-1	Amended	V 19, p. 840	105-5-8	Amended	V. 18, p. 1145
91-1-138a	Revoked	V. 19, p. 1439		W 100. BOADD	OF HEALING ARTS	105-6-2	Amended	V. 18, p. 1146
91-1-140a	Revoked	V. 19, p. 1439				105-7-2	Amended	V. 10, p. 1140
91-1-141	Revoked	V. 19, p. 1439	Reg. No.	Action	Register	105-7-4		
91-1-143	Revoked	V. 19, p. 1439	100-6-2	Amended (T	V. 18, p. 1747	through	A.mondod	V. 18, p. 1146
91-1-144	Revoked	V. 19, p. 1439	100-6-2	Amended	V. 19, p. 241	105-7-9	Amended	V. 18, p. 1146
91-1-145	Revoked	V. 19, p. 1439	100-7-1	Amended	V. 19, p. 1044	105-8-1	Amended	V. 18, p. 1146
91-1-146a	Amended	V. 19, p. 1593	100-10a-1	Amended	V. 19, p. 241	105-8-2	Amended	V. 18, p. 1146
91-1-146e	Amended	V. 19, p. 1593	100-10a-3	Amended	V. 19, p. 241	105-8-3	Amended	V. 18, p. 1146
91-1-148a	Revoked	V. 19, p. 1439	100-11-1	Amended	V. 19, p. 1190	105-10-1a		V. 18, p. 1147
91-1-149	Revoked	V. 19, p. 1439	100-11-5	Revoked	V. 18, p. 1230	105-10-3	Amended	V. 18, p. 1147
91-1-150	Revoked	V. 19, p. 1439	100-22-3	New	V. 19, p. 571	105-10-5	Amended	V. 18, p. 1147
91-1-153	Revoked	V. 19, p. 1439	100-24-3	New	V. 18, p. 483	105-21-3	Amended	V. 18, p. 1147
91-1-200	INTOACO		100-29-7	Amended	V. 19, p. 1547	105-21-6	Amended	V. 18, p. 1147
		language til samt grand har en	100-49-4	Amended	V. 19, p. 1190	105-31-4	Revoked	
through 91-1-211	New	V. 19, p. 1439-1449	100-54-4	Amended	V. 19, p. 1547	AGENC	Y 108: STATE EMPI	LOYEES HEALTH
	Revoked	V. 19, p. 680	100-55-1				CARE COMMIS	SSION
91-12-22	Revoked	V. 19, p. 680	through			Den No	Action	Register
91-12-23		V. 19, p. 680	100-55-9	Amended	V. 19, p. 1017-1020	Reg. No.		
91-12-24a	Revoked	V. 19, p. 680	100-55-4	Amended	V. 19, p. 1547	108-1-3	New (T)	V. 18, p. 1392
91-12-25	Revoked	V. 19, p. 680	100-55-11		V. 19, p. 1020	108-1-3	New	V. 19, p. 68
91-12-27	Revoked		100-60-1	Amended	V. 19, p. 1547	ACEN	CY 109; BOARD O	F EMERGENCY
91-12-28	Revoked	V. 19, p. 680	100-60-9	Amended	V. 19, p. 571	AGL	MEDICAL SER	VICES
91-12-30	in the family of		100-60-10		V. 19, p. 571			Register
through		V 10 - 690	100-60-13		V. 19, p. 572	Reg. No.	Action	
91-12-33	Revoked	V. 19, p. 680	100-69-5	Amended	V. 19, p. 1547	109-1-1	Amended	V. 18, p. 1650
91-12-35				**	•	109-5-1	Amended (T)	V. 19, p. 1339
through		W 10 - 200 co1	AGE	NCY 102: BEHA	VIORAL SCIENCES	109-5-1	Amended	V. 19, p. 1749
91-12-42	Revoked	V, 19, p. 680, 681	ty the	REGULATO	RY BOARD	109-5-2	Amended	V. 18, p. 1654
91-12-44		ena Na Nagari (H. Gallin Albana) (H.	Reg. No.		Register	109-5-3	Amended	V. 18, p. 1654
through	70 <u>12</u> 8/11/12 (1)	** ** *** ***			V. 19, p. 1681	109-5-4	' Amended (T)	V. 19, p. 1340
91-12-69	Revoked	V. 19, p. 681	102-1-3	Revoked	V. 19, p. 1681	109-5-4	Amended	V. 19, p. 1750
91-12-71			102-1-3a	New	V. 19, p. 1683	109-6-2	Amended (T)	V. 19, p. 1340
through			102-1-5	Revoked		109-6-2	Amended	V. 19, p. 1750
91-12-74	Revoked	V. 19, p. 682	102-1-5a	New	V. 19, p. 1683	109-6-3	New (T)	V. 19, p. 1341
91-22-1a	New	V. 19, p. 682	102-1-12	Amended	V. 19, p. 1684	109-6-3	New	V. 19, p. 1751
91-22-2	Amended	V. 19, p. 683	102-1-15	Amended	V. 19, p. 1686	109-0-3	Amended (T)	V. 19, p. 1341
91-22-3	Revoked	V. 19, p. 683	. 102-1-17	New	V. 19, p. 1687	109-7-1	Amended	V. 19, p. 1751
			100 1 10	New	V. 19, p. 1687	102-1-1		
		V. 19, p. 683	102-1-18			1/10/01/1	Amended	V. 18. p. 1656
91-22-4	Amended	V. 19, p. 683 V. 19, p. 683	102-2-1a	Amended	V. 19, p. 1192	109-9-1	Amended Revoked	V. 18, p. 1656 V. 18, p. 1656
91-22-4 91-22-5a	Amended Amended	V. 19, p. 683		Amended Amended	V. 19, p. 1192 V. 19, p. 1194	109-9-2	Revoked	V. 18, p. 1656
91-22-4 91-22-5a 91-22-7	Amended Amended Amended	V. 19, p. 683 V. 19, p. 683	102-2-1a 102-2-2a . 102-2-3	Amended Amended Amended	V. 19, p. 1192 V. 19, p. 1194 V. 19, p. 1194	109-9-2 109-4-4	Revoked Amended	V. 18, p. 1656 V. 18, p. 1656
91-22-4 91-22-5a	Amended Amended	V. 19, p. 683	102-2-1a 102-2-2a	Amended Amended Amended	V. 19, p. 1192 V. 19, p. 1194	109-9-2	Revoked	V. 18, p. 1656

								The state of the s
109-10-1	Amended	V. 19, p. 1751	111 4.000			1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	* * \$ \$ * * *	
109-10-2	Amended		111-4-880	Amended	V. 19, p. 1091	111-7-156	New	V. 19, p. 1803-1806
109-10-6	New	V. 18, p. 1658	111-4-881	Amended	V. 19, p. 1091	111-7-157	New	V. 19, p. 1564
109-11-1		V. 18, p. 1660	111-4-882	Amended	V. 19, p. 1048	111-8-2	Amended	V. 19, p. 1806
109-11-2	Amended	V. 18, p. 1662	111-4-1594		V. 19, p. 17	111-9-109	Amended	V. 19, p. 1806
	Revoked	V. 18, p. 1662	111-4-1595	Amended	V. 19, p. 17	111-9-110	Amended	V 10 p. 1000
109-11-3	Amended	V. 18, p. 1662	111-4-1597	Amended	V. 19, p. 18			V. 19, p. 1807
109-11-4	Amended	V. 18, p. 1663	111-4-1598	Amended	V. 19, p. 18	AGEN	NCY 112: KAN	SAS RACING AND
109-11-5	Amended	V. 18, p. 1664	111-4-1621		1. 15, p. 10	34 to 15	GAMING CO	OMMISSION
109-11-6	Amended	V. 19, p. 1753	through			Reg. No.	Action	
109-12-1	Revoked	V. 18, p. 1665	111-4-1636	New	V. 19, p. 177-181			Register
109-12-2	Revoked	V. 18, p. 1665	111-4-1617			112-4-1	Amended	V. 19, p. 1307
109-13-1	Amended		111-4-1637	Amended	V. 19, p. 19	112-6-4a	New	V. 18, p. 1458
109-13-3	Revoked	V. 19, p. 1754				112-7-21	Amended	V. 19, p. 118
107 15-5	KEYOKEU	V. 18, p. 1666	through	1		112-10-6	Amended	V. 18, p. 954
AC	GENCY 110: DEPART	MENT OF	111-4-1649	New	V. 19, p. 19-22	112-10-38	Amended	V. 19, p. 119
	COMMERCE AND H		111-4-1673			112-18-21	 Amended 	V. 19, p. 1308
			through	1.1	and the second of the second o	112-18-22	Amended	V. 19, p. 119.
Reg. No.	Action	Register	111-4-1698	New	V. 19, p. 522-528	- 4	4.4 2 3	
110-6-1	Amended (T)	V. 19, p. 677	111-4-1686			AG		PARTMENT OF
110-6-1a	New (T)	V. 19, p. 677	through		and the state of the state of	1 1 1 1 1 1 1 1 1 1	WILDLIFE A	ND PARKS
110-6-2	Amended (T)	V. 19, p. 678	111-4-1689	Amended	V. 19, p. 811, 812	Reg. No.	Action	Register
110-6-3	Amended (T)	V. 19, p. 678	111-4-1699		V. 19, p. 011, 012	115-2-1		
110-6-4	Amended (T)		through	State of the second			Amended	V. 18, p. 1019
110-6-5		V. 19, p. 679	111-4-1711	New	V 10 010 015	115-4-1	Amended	V. 19, p. 1137
110-0-3	· Amended (T)	V. 19, p. 679		inew	V. 19, p. 812-815	115-4-3	Amended	V. 19, p. 1138
AG	ENCY 111: KANSAS	LOTTERY	111-4-1712			115-4-5	Amended	V. 19, p. 1139
			through	425	The state of the state of	115-4-6	Amended	V. 19, p. 1140
A comp	lete index listing all re	gulations filed by	111-4-1715	New	V. 19, p. 1092	115-4-7	Amended	V. 19, p. 1142
ine Kansas	s Lottery from 1988 th	rough 1999 can be	111-4-1718			115-4-13	Amended	V. 18, P. 1020
found in t	he Vol. 18, No. 52, D	ecember 30, 1999	through	er i er er eg er e	化异氯甲基甲基甲基甲基	115-5-2	Amended	V. 18, p. 1723
Kansas Re	gister. The regulations	listed below were	111-4-1729	New	V. 19, p. 1048-1051	115- <i>7-</i> 1	Amended	V. 18, p. 1334
published	after December 31, 19	99	111-4-1730			115-7-5	Amended	V. 18, p. 1334
	1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1		through	1000		115-8-6	Amended	V. 18, p. 1724
Reg. No.	Action	Register	111-4-1758	New	V. 19, p. 1093-1101	115-11-2	Amended	V. 18, p. 484
111-2-30		. •	111-4-1731	Amended	V. 19, p. 1313	115-15-1	Amended	V. 18, p. 1724
111-2-66	Amended	V. 19, p. 1310	111-4-1734	Amended		115-15-2	Amended	V. 10, p. 1724
	Revoked	V. 19, p. 14	111-4-1735	Amended	V. 19, p. 1313	115-16-4	Amended	V. 18, p. 1725
111-2-84	Revoked	V. 19, p. 14	111-4-1736		V. 19, p. 1314	115-17-21	New	V. 18, p. 780
111-2-95	Amended	V. 19, p. 174		Amended	V. 19, p. 1314	115-17-21		V. 18, p. 781
111-2-100	New	V. 19, p. 14	111-4-1759	•		115-10-4	Amended	V. 18, p. 1334
111-2-101	New	V. 19, p. 15	through			115-18-7	Amended	V. 18, p. 1335
111-2-102	New	V. 19, p. 174	111-4-1776	New	V. 19, p. 1314-1319	115-18-10	Amended	V. 19, p. 1474
111-2-103	New	V. 19, p. 1089	111-4-1760	Amended	V. 19, p. 1557	115-18-13	Amended	V. 19, p. 1475
111-2-104	New	V. 19, p. 15.	111-4-1763	Amended	V. 19, p. 1558	115-18-14	Amended	V. 18, p. 1336
111-2-105	New		111-4-1777			115-18-16	New (T)	V. 19, p. 242
111-2-106	New	V. 19, p. 16	through			115-18-16	New	V. 19, p. 1475
111-2-107	New	V. 19, p. 16	111-4-1787	New	V. 19, p. 1558-1564	115-30-10	Amended	V. 18, p. 781
111-2-108	New	V. 19, p. 174	111-4-1778	Amended	V. 19, p. 1799	- A	CENION 445 D	
111-2-109		V. 19, p. 175	111-4-1787a	New	V. 19, p. 1799	Α.	ADDD AICAI	EAL ESTATE
	New	V. 19, p. 175	111-4-1788		1. 15, p. 1755	4 <u>2</u> 1 22 4 4 1	APPRAISAI	BOARD
111-2-111	New	V. 19, p. 811	through	et ja kara ja		Reg. No.	Action	Register
111-2-112	Amended	V. 19, p. 1797	111-4-1791	New	V 10 m 1000 1000	117-2-1	Amended	V. 18, p. 294
111-2-113	Amended	V. 19, p. 1797	111-5-30		V. 19, p. 1800-1802	117-2-2	Amended	
111-2-114	Amended	V. 19, p. 1798	111-5-77	Amended	V. 19, p. 529	117-3-1	Amended	V. 18, p. 295 V. 18, p. 296
111-2-115	New	V. 19, p. 1311	111-5-78	New	V. 19, p. 529	117-3-2	Amended	
111-2-116	New	V. 19, p. 1798		New	V. 19, p. 815	117-4-1	Amended	V. 18, p. 296
111-3-1	Amended	V. 19, p. 1555	111-6-1	Amended	V. 19, p. 529	117-4-2		V. 18, p. 297
111-3-12	Amended		111-6-5	Amended	V. 19, p. 530	117-6-1	Amended	V. 18, p. 298
111-3-13	Amended	V. 19, p. 16	111-6-24	New	V. 19, p. 531	117-6-1	Amended	V. 18, p. 955
111-3-14		V. 19, p. 1045	111-7-73	Amended	V. 19, p. 531		Amended	V. 19, p. 472
111-3-14	Amended	V. 19, p. 1556	111-7-77	Amended	V. 19, p. 531	117-7-1	Amended	V. 19, p. 41
	Amended	V. 19, p. 1798	111-7-78	Amended	V. 19, p. 532	117-8-1	Amended	V. 19, p. 473
111-3-20	Amended	V. 19, p. 17	111-7-80	Amended	V. 19, p. 532 V. 19, p. 532	117-9-1	Amended	V. 19, p. 41
111-3-35	Amended	V. 19, p. 177	111-7-81	Amended		AC	ENCY 118- KA	NSAS STATE
111-4-580	Amended	V. 19, p. 1046	111-7-122	Amended	V. 19, p. 533		HISTORICAL	
111-4-583	Amended	V. 19, p. 1046	111-7-123	Amended	V. 19, p. 1802		7 C 1	・ こことを 三、手 けっさか。
111-4-584	Amended	V. 19, p. 1047	111-7-126		V. 19, p. 1803	Reg. No.	Action	Register
111-4-585	Amended	V. 19, p. 1047	111-7-126	Amended	V. 19, p. 534	118-4-1	477	
111-4-878	Amended	V. 19, p. 1047		the second		through	1.5	
- F. 4 - 74		17, p. 104/	through			118-4-4	New	V. 18, p. 672, 673
			the same of the					

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